AKWESASNE NOTES

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WHERE THE PARTRIDGE DRUMS

AKWESASNE NOTES PHOTO: BANNON

A JOURNAL FOR NATIVE AND NATURAL PEOPLES

WINTER ISSUE 1981

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AKWESASNE NOTES

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NEEDED FOR NOTES: AA penlight batteries, winter clothing of all sizes, S13 hearing aid batteries, baby clothes, film (black and white) for a 35mm camera, file folders, desk organizers, office supplies, warm blankets and medical supplies.

Total costs for this issue will exceed $15,000. It will reach some 100,000 people.
It could reach many more---the millions more who need to understand and hear the Peaceful Way of Life.
If you think, you'd like to help, maybe one way could be by becoming a Dynamo in the Akwesasne NOtes Emergency Response International Network and distributing our newspaper and other materials in your home area. Write to: E.R.I.N., at AKWESASNE NOTES Via Rooseveltown, N.Y. 13683

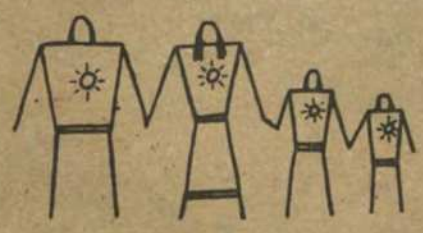
A NEW WAY TO HELP NOTES

Your contributions to AKWESASNE NOTES can now be tax-deductible. The Youth Project of Washington, D.C., a public foundation under 501-C-3 of the Internal Revenue Code has agreed to take NOTES under its wing as a research and educational project.

If you would like to support these efforts and receive the benefit of a tax-deductible contribution your check should be made out to Akwesasne Notes/The Youth Project, and sent to us here at NOTES.

You will receive a letter of receipt that you can keep for your income tax records.

We still do not accept government funds, but we urge you to take advantage of this opportunity to help our message grow.



HOW IT IS WITH US

The struggle at the Mohawk Nation continues. Lawyers, research, printing and mailing costs, the travel of delegations (some to Albany this week to testify on the illegality of the Akwesasne Police ; others to international forum such as the Russell Tribunal), the efforts of the AKWESASNE FREEDOM SCHOOL (with a predominantly volunteer staff), food, heating and medical attention for the Racquette Point Encampment, plus the many other necessary activities and items find us contantly scraping for funds.

As our struggle grows, it seems, so do our strategies and activities diversify. More and more people's time and energy gets consumed. We are heartened by this-even though it represents a hardship for many families-because we are united by one overwhelming goal: the Survival of the Seventh Generation-and not only of our people, but of all the peoples of the world.

This week, after almost two months of relative ease, the bottom is again visible in our financial barrel. We would ask those of you who understand our situation and who can help us financially for your generosity once again at this time.

We particularly urge people to exchange their money for some of our materials and that way we all benefit. But we also have a tax exemption channel for those of you wishing to make a donation to our work.

Now, the business office sends their greetings:

Niawen, friends, for showing your support through the purchase of the books, tapes, posters, crafts, calendars distributed by NOTES.

We are nearly stocked fully again: the reprinted posters have arrived, the "You're on Indian Land" tape series will arrive in February, the 1981 calendar is available. We have many good books, datebooks, posters and crafts. We have also a Speakers' Bureau (VOICES FROM THE EARTH), with excellent presentations on any of the topics covered in NOTES.

Please remember in ordering from us to enclose your name and full address on your letter. Some people forget and we don't know where to send their materials.

We hope you enjoy this edition of NOTES. Its a good one--like getting a full book.

That's how it is with us.

A weekly NEWS SERVICE, called In The Indian Country is being planned by Notes Staff. We are inviting comments from communications people on the idea and attempting to ascertain the current demand for such a service. Write to Ismaelillo, c/o NOTES, via Rooseveltown, N.Y. 13683.

Emergency Response Int'l Network

THROUGHOUT THE AMERICAN CONTINENTS, TRADITIONAL NATIVE PEOPLES ARE BEING PERSECUTED, ASSASINATED, USED AS SLAVES, AND EVEN HUNTED FOR SPORT.

LONG–STANDING HISTORICAL RACISM AND PRESENT-DAY ECONOMIC IMPERATIVES ARE CONSPIRING AGAINST THEM. GOVERNMENTS AND CORPORATIONS––PARTICULARLY THE SO–CALLED "ENERGY– DEVELOPERS"––WANT THEIR REMAINING LANDS AND NATURAL RESOURCES.

IN A VARIETY OF FORMS AND METHODS, THE NATIVE COMMUNITIES ARE IN ACTIVE RESISTANCE TO THESE CONDITIONS. IT WAS SEEN AT THE RECENT RUSSELL TRIBUNAL, IN ALL OF THE CASES PRESENTED, AS TRADITIONAL PEOPLES STAND UP FOR SURVIVAL, FOR THEIR RIGHTS, THEY ARE THE TARGETS OF POLITICAL AND POLICE REPRESSION.

AKWESASNE NOTES HAS A CONFLICT–RESOLUTION NETWORK TO ASSIST IN CASES OF ARMED THREAT AGAINST NATIVE COMMUNITIES, CALLED THE EMERGENCY RESPONSE INTERNATIONAL NETWORK (formerly known as the AKWESASNE NOTES EMERGENCY PHONE TREE). WE ARE A NUMBER OF PEOPLE OF CONSCIENCE WHO ARE WILLING TO WRITE A LETTER, SEND A TELEGRAM, OR MAKE A PHONE CALL TO CONTAIN SPORADIC REPRESSION AND VIOLENCE.

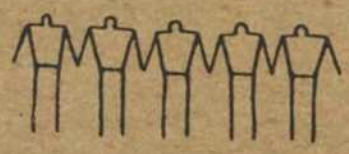
PEOPLE WORKING ON E.R.I.N. ARE INVOLVED IN THIS WORK ON THE BASIS OF CONSCIOUSNESS AND TRUST. THE OVERWHELMING PURPOSE OF THE ACTIVITIES IS TO CONFRONT POTENTIALLY VIOLENT SITUATIONS AND TO DO SO IN A WAY THAT WILL SAFEGUARD THE SAFETY OF COMMUNITIES UNDER THE THREAT OF MILITARY OR ENVIRONMENTAL DESTRUCTION.

WE WISH TO BE A DISCIPLINED AND ORGANIZED NETWORK, AS THE POTENCY OF OUR EFFORT DEPENDS IN OUR ABILITY TO APPLY CONCENTRATED PRESSURE AT SPECIFIC TIMES. WE ENCOURAGE, HOWEVER, DECENTRALIZED WAYS OF THINKING AND CONDUCTING OURSELVES.

THE NETWORK IS ACTIVATED BY NOTES STAFF, IN CONFERENCE WITH REPRESENTATIVES OF THE AFFECTED COMMUNITY––AND ALWAYS FOCUSES PRESSURE ON THE INDIVIDUALS, GOVERNMENT AGENCIES OR CORPORATIONS TRYING TO OPPRESS OR CONTROL THE SITUATION.

E.R.I.N. IS ORGANIZED BY REGIONS IN NORTH AMERICA AND EUROPE.

IF YOU WISH TO RECEIVE OUR ACTIVITY BULLETINS, WRITE TO: E.R.I.N. BULLETIN, AKWESASNE NOTES, Via Rooseveltown, N.Y. 13683.



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We have available a special "Express" mailing list for those people wishing to receive "The Notes" as soon as it is published. The special mailing list subscription charge is $12.00 per year. People on the Express mailing list will also receive the *E.R.I.N. Activity Bulletin.*

Mohawk Nation--Winter

WHAT IS THE PURPOSE OF THE AKWESASNE POLICE? IS THIS A LAW ENFORCEMENT AGENCY WHICH IS INTENDED TO PROTECT THE LIVES AND PROPERTY OF THE RESIDENTS OF AKWESASNE, OR IS IT AN ORGANIZATION FORMED FOR THE PURPOSE OF ENACTING THE ARBITRARY WILL OF NEW YORK STATE'S ELECTED TRUSTEES?

STATE AND
FEDERAL POLICIES TRIGGER ATMOSPHERE OF VIOLENCE AT AKWESASNE

POLICE AS POLITICAL TERRORISTS

New York State and the U.S. federal government have developed highly sophisticated policies which are designed to maintain control of Native communities while leaving the U.S. public with the image that these same communities are democracies. Both the state and federal governments use every means possible to control the Native communities while preserving the appearance that Native people enjoy a considerable degree of "self–determination." These governments are especially active in supporting those individuals or groups they perceive to be their political allies. They have been willing to extend the nature of that support to assistance in the use of force to bolster the political fortunes of their favorite Indians. The conspiracy of New York State and the federal government to support violent and repressive elements within Mohawk society is leading to a situation at Akwesasne which fosters an explosive atmosphere of official amorality and corruption and political violence not unlike that witnessed on Pine Ridge in South Dakota several years ago.

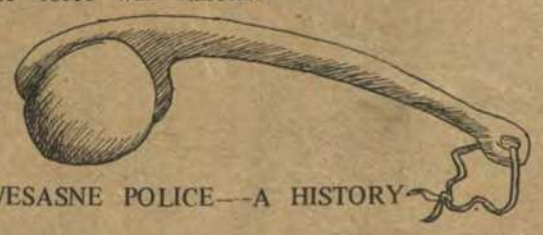
Despite official propaganda proclaiming that Mohawk people are U.S. and N.Y.S. citizens, state and federal policies reflect the reality that the interests of the Mohawk community of Akwesasne are separate and distinct from the interests of New York State and the United States. Indian communities are treated very much as colonies. The states and the federal government interfere in the internal affairs of these communities whenever their interests appear to be at stake. This form of colonialism requires that a significant part of the Mohawk community continue to be mystified by these governments. On the one hand, the state offers or claims to offer valid police protection along with some health and other services, and the federal government offers large amounts of money for a wide range of services. On the other hand, in times of political conflict, it becomes clear that police protection is selective and police and courts are organized to permit acts of violence against political dissidents. Selective prosecutions and failure of police to investigate crimes committed by their political allies give rise to "goon squads" and an increase in political violence. NEw York State officials, while claiming criminal jurisdiction, also disclaim responsibility for this violence. In 1981, New York claims to be a neutral party caught between two warring factions of Indians. If there are "goon squads" at Akwesasne, they are the creation of New York State authorities.

Both New York State and the federal government have a long history of interfering in the internal affairs of the Indian communities which are within or adjacent to their borders. New York has a long history of especially aggressive and hostile behavior toward her Indian neighbors and particularly toward the Haudenosaunee (Six Nations Iroquois) communities. During the 1820s and 1830s, New York was one of the states which spearheaded a drive to remove all Native peoples to lands west of the Mississippi River, a movement which resulted in the infamous Trail of Tears when the Cherokee were removed from their homeland in Georgia.

During this century, New York has focused its attention several times on the Mohawk people at Akwesasne. In 1948, the Mohawks voted to reject the system of government which the state had imposed at Akwesasne. Two years later, New York sent state police to reimpose the "elective system" by force.

New York began to feel its interest threatened once again in 1971 when court cases drew attention to federal courts which appeared willing to recognize the validity of a 1790 Indian Non-Intercourse Act. Recognition of that law would invalidate several illegal land transactions which the state had manipulated between 1816 and 1825. In 1972, trouble erupted at Akwesasne when a small party of "elected system" people actually siezed a house trailer belonging to a Traditional Mohawk man and his wife, claiming that the couple were not "tribal members." Although these people undoubtedly violated New York's laws in that they siezed property without a court order and they harassed and assaulted people, no arrests were made.

Two things happened at about the time of that 1972 conflict. Louis Bruce, then Commissioner of Indian Affairs and himself part Mohawk, gave recognition to the elective Tribal Council as an eligible recipient for at least some forms of federal funding, and an Akwesasne Police force was started.



AKWESASNE POLICE--A HISTORY

The Akwesasne Police force was an outgrowth of the Nixon Administration's law and order programs. Federal funds which were passed through New York State to the elective leaders of the St. Regis Mohawk Tribal Council ("elective Tribal Council") were used to fund the program. At first the source of the funds was the federal Law Enforcement Assistance Administration (LEAA).

The leaders of the Elective Tribal Council faction of the MOhawks worked closely with the LEAA administrators, the New York State Division of Criminal Justice Services, the New York Black River–St. Lawrence Regional Planning Board, the Franklin County Legislature the Franklin County Sheriff, the New York State Police and the United States Bureau of Indian Affairs to obtain political support for LEAA funding of their first official police force. A discretionary grant of $17,119 in LEAA funds was given to the elective Tribal Council in April, 1973, from the New York State Division of Criminal Justice Services. This date corresponds closely with events which took place at Wounded Knee, South Dakota.

During the following month the Secretary of the Interior (the administrative head of the Bureau of Indian Affairs) published a notice in the Federal Register which proclaimed that the St. Regis Mohawk Tribe was elegible for funding of all law and order functions under the federal Omnibus Crime Control and Safe Streets Act of 1968. Since the Bureau of Indian Affairs had shortly before begun recognizing the elective Tribal Council as the exclusive government of the Mohawk people and Mohawk territory of Akwesasne, all federal relations and federal programs were directed solely to the elective Tribal Council.

To help establish the Akwesasne Police, the Franklin County Legislature authorized the Franklin County Sheriff to deputize three of the Akwesasne Police officers in December, 1972. Under New York law the Sheriff alone could not have deputized that many officers for the 2500 – 3000 residents of the "American side" of Akwesasne because the law provides for only one deputy for each 3000 residents unless there is special approval of the County Legislature. The County's approval was also considered necessary because these Akwesasne Police deputies would have general criminal law inforcement powers which authorized them to act more like state police than like the regular Sheriff's deputies who only serve process, act as court officers, etc. The chief deputy was only part time. The Akwesasne Police deputies were to be employed on the same terms as other Sheriff's deputies.

State and federal governments continued to fund the Akwesasne Police over the next few years, but there were serious funding problems that developed, and some federal funds were cut off for a time. Within two years of the creation of the Akwesasne Police the annual LEAA grant was increased to $30,000. The Akwesasne Police soon added non–deputized officers as "guards' to its staff.

However, within the first few years of its existence, the Akwesasne Police became a troublesome political and legal problem to Franklin County and to the State and federal funding sources. There was friction with the County Legislature about lax administration and record keeping by the Akwesasne Police, and there were legal questions about whether the Akwesasne deputies were lawfully sworn in without having first received regular state police training. There were also questions about who was in charge of these new police and about the scope of their authority. In addition, there was a serious dispute about whether the Akwesasne Police should obtain their own police liability insurance to protect the County from law suits.

Because of these disputes the County Legislature refused to deputize new officers to replace two Akwesasne Police deputies who left the force. By 1978 there was only one officially deputized Akwesasne Police officer. When LEAA administrators discovered these problems in the mid 1970's the LEAA grant was terminated for a period of about a year. The elective Tribal Council replaced the lost LEAA funds from other federal funds. These other federal funds included Revenue Sharing and Anti–Recessionary funds from the Department of the Treasury, and funds from other BIA, HUD and HEW programs which were being provided to the elective Tribal Council by that time. The continuation of the Akwesasne Police was their top priority, and they nearly bankrupted the other social welfare programs in order to keep their police force alive. The Tribal Council wrote:

"It should be noted that, in terms of commitment on the part of the Tribal Council, that this project was sustained by the Tribal REvenue Sharing Funds during the year 1974 – 1975 *to the extent of nearly bankrupting the Tribal Council for any other projects and purpose* – an indication of the extend and effort devoted to this project and activity."

> *.....THE ELECTIVE TRIBAL COUNCIL PROPOSED TO USE THIS CETA MONEY JUST AS IT HAD PROPOSED TO USE EARLIER LEAA MONEY: TO TAKE POLICE ACTION AGAINST ITS MOHAWK OPPOSITION, THE TRADITIONAL MOHAWKS.....IN JANUARY, 1980, A NEW YORK GOVERNOR'S DISCRETIONARY CETA GRANT OF $204,987 WAS MADE TO THE ELECTIVE TRIBAL COUNCIL.*

The elective Tribal Council also undertook a major lobying campaign to restore LEAA funding and to try to obtain even larger law enforcement grants from the BIA. This lobying effort was directed by attorney Arthur Gajarsa who was employed by the elctive Tribal Council and paid with other federal funds. These lobying efforts were focused on Commissioner of Indian Affairs Morris Thompson and on other federal officials. The lobying effort was supported by the New York State Police, the Black River – St. Lawrence Regional Planning Board, the Franklin County Sheriff, and the Franklin County Legislature. They wrote letters, passed resolutions and made phone calls backing increased funding for the Akwesasne Police. The local State Police Commander praised the Akwesasne Police for its "great assistance to the New York State Police." It was stated that the Akwesasne Police had reduced Mohawk crime and had lessened the workload of the State Police and the Sheriff.

The State of New York approved a new LEAA discretionary grant of $50,000 in 1977, and problems with the County Legislature were patched over in the early summer of 1978 when the elective Tribal Council got its own police liability insurance. By this time police training problems had also been cleared up. Although the first deputized Akwesasne Police officers (Harris Cole and Noah Ransom) had received BIA-sponsored training at the BIA Police Training School in Rosewell, New Mexico, it was agreed that all Akwesasne Police Officers would go through regular New York police training under the Municipal Police Basic Training Course. In June, 1978, the County Legislature authorized the deputization of two more Akwesasne Police officers, bringing the total number of deputized officers back up to three.

LEAA money began drying up for Indian police forces across the country in 1978. In October, 1978, the elective Tribal Council was informed by New York State officials that the request for a new $50,000 grant was denied because the Akwesasne Police was not "a project with a national scope which impacts on more than one tribe." Turning to other potential sources for funding, the elective Tribal Council in 1979 made a new request to the BIA for a law enforcement grant of $291,000. This request also was denied because of the BIA's policy not to give law enforcement grants to Indian peoples in those states where Congress has authorized the States to impose their state criminal laws on Indians.

The BIA decided that a federal statute of 1948 gives New York exlusvie criminal jurisdiction over New York Indian reservations. If law enforcement funding were approved for the St. Regis Mohawk Tribe, it would open the door to demands for BIA law enforcement funding to many other Indians, who are in a similar situation, including Indians in all P.L. 280 states, Kansas and California. The BIA also determined that the elective Tribal Council's proposal asked for $150,000 more than was needed to run the Akwesasne Police.

It is not clear where the elective Tribal Council turned for all of its funding needs to support the Akwesasne Police after LEAA grants were ended in 1978 and after the BIA refused in November, 1979, to provide the $291,000 which had been requested for Mohawk law enforcement. The elected Tribal Council did once again dip into other federal program funds, as it had a few years earlier, to keep the Akwesasne Police afloat while it sought out other federal funding sources. This apparently was not sufficient, though, and the very survival of the Akwesasne Police force was threatened.

Government records make clear that the elective Tribal Council was able to overcome this funding problem by using the crisis which broke out at Akwesasne in May, 1979, to get one additional LEAA grant in late 1979. The grant proposal submitted by the elective Tribal Council to the State of New York's Division of Criminal Justice Services and to federal LEAA officials has these statements which the elective Tribal Council included under the section entitled "Problem Identification and Analysis":

"On May 22, 1979, a Traditional Indian was arrested for allegedly committing the crime of grand larceny. At that time, the Traditional Indians challenged the applicability of the criminal law of the State of New York.

"On May 29, 1979, a group of Traditional Indians took over the Community Building which houses the Akwesasne Indian Police Department. They took it over by force injuring a number of people and demanded that the whole police department resign. They maintained that New York State had no jurisdiction over their sovereign status as a nation....

"In order to address this situation and to continue law enforcement functions of the reservation, funds are needed to maintain the reservation Police Force...From September 1977 until May of this year, the Tribal Council has maintained the police services through various federal funding sources which include the Department of Interior (Bureau of Indian Affairs), HUD and HEW' No continuation monies are available from any of these sources. Since the inception of the Reservation Law Enforcement Program, no state revenues have been utlized to support its operations. Due to severe economic hardships experienced by the Reservation and the large number of service demands placed upon its limited resources, *the Police Department will be disbanded unless federal funds are awarded.* "

The elective Tribal Council's proposal described the "task" of the Akwesasne Police as follows:
"The initial and most critical task of the Reservation Police Force will be to address and diffuse the unrest generated by the incidents described above. This will be achieved by maintaining order and facilitating negotiations between the Traditionalists and the Tribal Council."

On the basis of this proposal the New York State and Federal LEAA representatives agreed in October, 1979 to step in and supply an exceptional, discretionary grant of $50,000 to retroactively cover Akwesasne Police costs for the period of May, 1979 through November, 1979. Both the State and Feder governments knew that they were thereby strengthening a police force which was being used by one Mohawk faction against its Mohawk opposition. Because of this State and Federal aid, the elective Tribal Council did not have to disband the Akwesasne Police and it got time to look for more sources of funds.

In just eight years the Akwesasne Police has grown from a force of three officers (one of whom was parttime) to a five man force in 1975, and to a present police force of some twenty employees. The one new source of funds which has become available in the last couple years is the Federal CETA program (Comprehensive Employment and Training Act.) CETA has meant survival and growth for the Akwesasne Police.

A few CETA slots have been provided to the Akwesasne Police force directly from Washington ever since the CETA program came into effect in late 1978. It appears that at least two of the members of the Akwesasne Police force are now paid from funds received directly from the federal CETA office.

Not all CETA money comes directly from Washington, however. Large sums of the federal CETA money have been given to the governors of each state to pass out with almost no federal strings attached. The Governor of New York has such a pool of CETA money from which he can make what is called a "Governor's Discretionary Grant" within the State of New York.

To keep the Akwesasne Police force from disbanding, the elective Tribal Council applied for CETA money from the Governor's Discretionary Grant pool when their LEAA funds ran out and when the BIA law enforcement proposal was denied. This proposal to the State of New York was made in late 1979. In describing its "Program Need" for this CETA money, the elective Tribal Council made it very clear that it wanted the money to help control the traditional Mohawks
"....the existing Tribal Police Force has been burdened with maintains order during a period of conflist between the tribal elective government and new-traditionalist. Trouble erupted when neo-traditionalists brought in many outside people who specialize in disrupting Indian communities to aid their cause. Throughout the late spring and all of the summer, tension on the reservation ran high. As of this date the situation on the reservation has not changed."

This clearly shows that the elective Tribal Council proposed to use this CETA money just as it proposed earlier to use LEAA money: to take police action against its Mohawk opposition, the traditional Mohawks. New York State responded to this request by throwing its support behind the elective Tribal Council's police and strengthening its police force to unprecedented levels. In January, 1980, a New York Governor's Discretionary CETA Grant of $204,987 was made to the elective Tribal Council. The federal CETA office in New York City also gave its approval. This whopping grant opened

> "THERE IS NO POSSIBLE LEGAL STATUS WHATSOEVER FOR THE MEMBERS OF THE AKWESASNE POLICE. EVEN IF THEY ARE OPERATING UNDER THE DIRECT SUPERVISION AND CONTROL OF THE STATE POLICE, THEY ARE STILL ONLY PRIVATE CITIZENS WHO HAVE UNLAWFULLY BEEN PERMITTED TO MASQUERADE AS POLICE OFFICERS."

14 new CETA slots for the Akwesasne Police. These slots are for 10 police officer "trainees" (annual wage: $9,734); 3 police dispatcher "trainees" (annual wage: $8,346); and one stenographer (annual wage:$7,347). Most police equipment is included. The grant covers one year beginning February 1, 1980 and ending January 31, 1981. The elective Tribal Council will undoubtedly ask to have the grant extended.

On the strength of this CETA grant from New York State the Akwesasne Police has suddenly grown enormous. In May, 1980, 12 new Akwesasne Police "trainees" became patrolmen. The Akwesasne Police is now a twenty member police force for a population of only some 2500 mohawk residents. This ratio of police to citizenry is truly extraoridnary, and it is a sobering thought to know that this force was given to the elective Tribal Council faction for the express purpose of controlling their Mohawk adversaries, the "neo–traditionalist" who are accused by the elective faction of bringing in "many outside people who specialize in disrupting Indian communities to aid their cause."

Having taken this partisan stance and having bolstered and continued funding for the police force which is at the heart of the controversy between traditional Mohawk and the elective Tribal Council faction, the State of New York now claims to be completely "neutral" about Mohawk internal affairs. That claim is plainly a lie.

It is clear that the Akwesasne Police is a creation of New York State, Franklin County and Federal governments working closely with the elective Tribal Council. It is also clear that the Akwesasne Police is totally dependent on Federal and State grants for its existence there is no Mohawk money supporting the Akwesasne Police. But it is not at all clear who is in charge of the Akwesasne Police. Who is responsible for their supervision Who is accountable for their misconduct?

In the early 1970s these questions were repeatedly raised as the County Legislature struggled with the County Sheriff, the State Police, federal LEAA officials and the elective Tribal Council. At first, the Akwesasne Police were described simply as officials deputized by the State of New York to serve as regular Sheriff's Deputies. They were to be charged with the duty of enforcing New York State statutes under written control, command and reporting procedures established by the Franklin County Sheriff. One government memorandum of June 25, 1974, emphasizes that the Akwesasne Police were considered regular deputies under the Sheriff's command:

"Since the authority behind the badges that the deputies wear rests with Franklin County, and the Sheriff is in charge of all deputies created by legislative action – THE SHERIFF IS OFFICIALLY IN CHARGE OF THE AKWESASNE DEPUTIES."

The elective Tribal Council fought to be in complete charge of the Akwesasne Police officers when they were operating[on Mohawk territory. The State and County officials soon gave in on this point. At first the Head Chief of the elective Tribal Council was named a "Liason Commissioner" who was under the supervision of the Sheriff but who had effective supervisory control of the Akwesasne Police officers when they were policing Mohawk territory. Later, by the mid–1970s, an agreement was made to divide control over the Akwesasne police. That agreement was as follows:

"A maximum of three tribal members will be designated as Franklin County Deputy Sheriffs. While on duty on the Reservation, the Akwesasne Police will be under the command of a designated Chief. While on duty off the Reservation, the Akwesasne Police will be under the command of the Sheriff of Franklin County."

The Akwesasne Police were an embarrassment to Franklin County officials, especially during the period during which New York State officials moved to greatly expand the force. There were widespread rumors of unprofessional off–duty behavior by members of the force. Last spring, Patrolman Richard Wheeler was arrested in connection with a reported hit–and–run incident in the off–reservation community of Fort Covington. Meanwhile, New York State, without the knowledge or approval of the Franklin County Legislature, undertook training of 14 additional Akwesasne Police officers and then urged the Legislature to deputize all of these people. Although Franklin County District Attorney Joseph Ryan and his assistant participated in this training, the Legislature refused the State's request.

The State Police began to function as a back–up force, appearing on the Mohawk lands only when called by the Akwesasne Police or the elctive Tribal Council. Although the Akwesasne Police was created, funded, deputized, trained and managed by State and Federal agencies, and although it was operationally linked into all state and federal police agencies, a split command system had been established which gave the elective Tribal Council complete control over their activities on Mohawk territory.

Finally, on November 3, 1980, at the request of Sheriff Percy Lyons, the Franklin County Legislature revoked the deputization of the three authorized deputies on the force. Sheriff Lyons stated that he had requested the action because undeputized persons had conducted law enforcement activities off the reservation and that the Akwesasne Police had failed to report off–reservation arrests to the Sheriff's office. Sheriff Lyons was also outraged because the Akwesasne Police Department had issued at least six handguns which were listed as police property to civilians. Two of those handguns, .357 Ruger Magnums, were issued to elective Tribal Council leaders Rudolph Hart and Reginald White. Sheriff Lyons, in a statement which appeard in the *Watertown Times*, said: (Akwesasne Police Chief Harris Cole) "had no right to issue those guns (to civilians). They belonged to a police department

Careful study of the New York State laws concerning police officers indicates that the Akwesasne Police force is not legal. It is founded in politics, not in law. It is the product of political wheeling and dealing between the elective Tribal Council and various County, State and Federal officials and agencies. Nothing in the State laws governing the St. Regis Mohawk Tribal Council authorizes that State–created body to establish or operate its own police force. In the absence of any State statute empowering the elective Tribal Council to have such a police force, there is no such legal right. The State of New York has repeatedly made clear its position that the legal powers and duties of the elective Tribal Council are very limited under New York law. Recently the State ruled that there could be no legal recall vote of elective Tribal Council members because such a recall vote was not expressly authorized by the New York laws which established and govern the elective Tribal Council. The same logic would prevent the elective Tribal Council from having a police force since that too is not authorized by the same New York law.

What the State and Federal governments have done through their funding and training programs is to create a special, private police force for an organization (the elective Tribal Council) which does not have the legal right to have such a police force in the first place. The "Liason Commissioner" idea, the split command idea, the training and liability insurance arrangements, and the other arrangements made to operate the Akwesasne Police were all made up out of the blue. They are not to be found in the laws of New York.

The de–deputization of Akwesasne Police Chief Harris Cole and two others by Franklin County means that there are now no Akwesasne Police who have any status as police officers under New York's laws. On the same day that this action took place, Major Robert E. Schneeman of the NYS Police announced that State Police will continue to "give assistance to the Akwesasne Police and the elected chiefs."

There is no possible legal status whatsoever under current New York law for the members of the Akwesasne Police. Even if they are operating under the direct supervision and control of the State Police, they are still only private citizens who have unlawfully been permitted to masquerade as police officers. This discussion makes clear who has allowed them to so masquerade.

The State has been putting forward the argument that the Akwesasne Police are legal because the elective Tribal Council has the sovereign right to run its own police force. There is little question that the Mohawk PEOPLE do possess, as part of their inherent right of self–government, the right to maintain their own police and justice systems. But this right remains in the people unless and until the people give their government the right to exercize those powers. The Mohawk people have obviously not given police powers to the elective Tribal Council through any system of Mohawk law. Neither have the Mohawk people approved a Mohawk constitution authorizing the elected Tribal Council to exercize police powers through appropriate legislation. The elective Tribal Council is neither a traditional nor constitutional Indian government, so it must look elsewhere for its legal powers.

The elective Tribal Council must look to New York State law for a description of its powers and duties because all of that Council's authority derives from that State law. Since those State–created legal powers and duties do not include the right to maintain a police force the establishment of the Akwesasne Police is not authorized under State law.

The federal government has entered into this conspiracy to support creation of Police forces and powers where none has existed before and where legal authorization is absent. In August the BIA approved a $75,000 grant for a "Conservation Enforcement Program." The grant has given the elective Council two more armed men in the field: a "Chief Warden," and a patrolman. These two individuals now carry .357 Ruger Magnum handguns and will presumably enforce NY State Conservation laws. It would probably be moot at this point to mention that the N.Y. portion of Akwesasne has practicaily no game for these armed men to "conserve".

Both State and Federal officials have known for years that the St. Regis Tribal Council is operating without the consent of the Mohawk people. The Tribal Council has been receiving BIA grants since the early 1970s for the purpose of developing its proposed constitution and legal system. The BIA grant program was first called the Tribal Affairs Management Program. In 1974, this became the Tribal Government Development Program. Every year the Tribal Council has gone back to this BIA well for money to train personnel and people in operation of a new constitution and by–laws, to design a format for a judicial system and to develop a law and order code, and, among other things, to establish election ordinances and prepare for and conduct a constitutional election.

The plans to develop and institute a new constitution and law and order system have been a top priority. The lawyers involved have received a fairly steady flow of money for their efforts. Elected tribal officials have also benefitted.

Since roughly half of a recent BIA $90,000 "bail out" grant (Tribal Government Expense Grant) to the elective Council is for the same purposes, the BIA can fairly be said to be investing heavily in the elective Council and its proposed Mohawk constitution and law and order system.

The reason that hundreds of thousands of good U.S. dollars have been spent trying to get the Tribal Council to obtain a constitution from the Mohawk people is that the Mohawk people did not create or authorize the Tribal Council to act as their government.

Both the State and the federal government are anxious to reach settlement of those embarrassing land claims as quickly as possible. The BIA has said that they require that any land claim settlement be approved by the Mohawk people through a referendum. The referendum procedure which was used in Maine was "advisory," and was not of legal significance.

The secret Mohawk land claims negotiations began in earnest in January 1978. They have continued to the present time, interrupted only by the crisis at Akwesasne following the events of May, 1979. One of the most troublesome features of these settlement negotiations is that one party to the negotiations, the United States, has paid all the negotiation expenses of the elective St. Regis Mohawk Tribal Council, another party to the same negotiations.

So far the U.S. Has paid out a total of *at least* $43,150 to the Mohawk negotiators. This amount covers the total paid during 1978 and 1979. It seems certain that more money was paid for this purpose in 1980.

The State and Federal government have responded to political opposition to secret land claims negotiations and the establishment of an illegal police force with increased funding for both of these projects. They have moved to repress opposition through expansion of the Akwesasne police: at least 14 new members were added to the force in 1980, at a cost of over one half-million dollars.

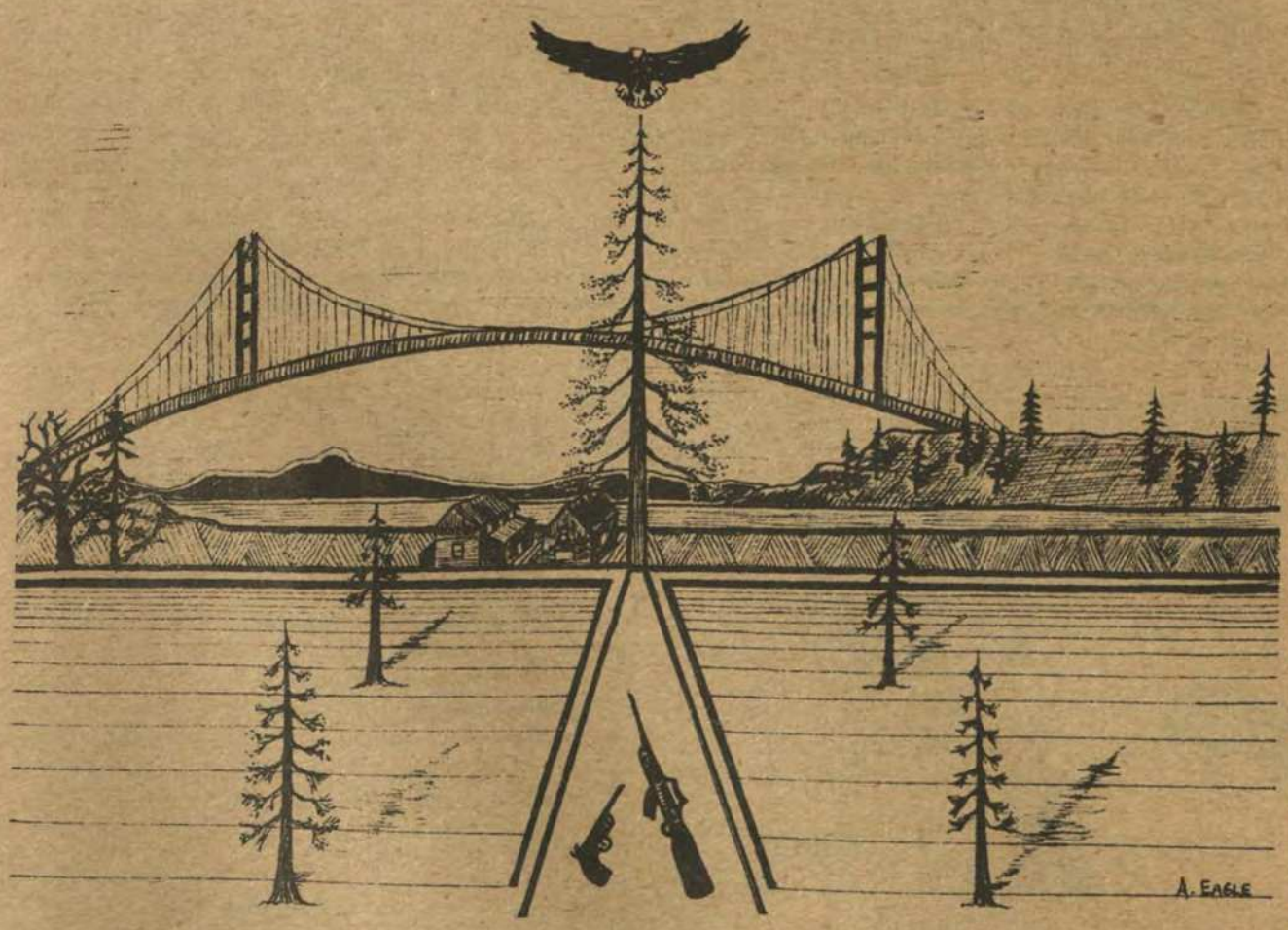
The Akwesasne Police is an *ad hoc*, lawless extension of the New York State criminal justice system. The Akwesasne Police force has no relationship what soever to traditional, sovereign Mohawk Indian government.

When these concerns about legality are coupled with the fact that these police have been staffed and used by the elective Tribal Council in a way which blantantly discriminates against the elective faction's political and religious opposition, the traditional Mohawks, additional legal questions are presented. For the law provides that LEAA, CETA, HUD, HEW, Revenue Sharing and other federal funds may not be used in a manner which discriminates against the political or religious activities or beliefs of any groups or individuals.

Law enforcement at Akwesasne has reflected the political objectives of New York State and its trustees. Assaults and other crimes committed by supporters of the elective system are rarely prosecuted. It is practically impossible for a traditional person or supporter to press charges against a member of the elective system or their supporters. Neither State Police or Akwesasne Police will take statements. Incredibly, town justices refuse to take statements or to issue warrants without elective system approval.

There have been a number of fires of mysterious origin at Akwesasne. In every case, the victims were either Traditionalists or people who had been critical of the Akwesasne Police. The home of Dr. Solomon Cook has been the target of vandalism and a bombing attempt. Dr. Cook was elected to the three–man elective council on a reform ticket. He is considered to be in opposition to "Head Chief" Reginald White and Leonard Garrow.

"POLICE AGENCIES AND POLICE PERSONNEL APPEAR TO BE IMMUNE FROM PROSECUTION WHEN THEY COMMIT ASSAULTS AGAINST THEIR POLITICAL OR PERSONAL ENEMIES..."



The events of December 27, 1980, serve to illustrate the tensions at Akwesasne. That night, some twenty to thirty "vigilantes" entered Tatlock's, a saloon in the hamlet of Hogansburg. They started a fight with the Chub brothers, two young men whom they identified as supporters of the Traditional Mohawks.

Following the fistfight, the Chub brothers moved to Tootie's bar which is several miles from Akwesasne in St. Lawrence County. Meanwhile, Paul Tatlock, owner of the Hogansburg bar, also went to Tootie's bar to confront the people who had caused a disturbance at his bar. He related that in Tootie's parking lot he came upon uniformed Akwesasne Police officer Patricia Ransom. Tatlock, a non–Indian, and Ransom had an argument, after which Tatlock went home.

At about 1:30 a.m., the Chub brothers left Tootie's parking lot. As they drove away, they heard shots. Eyewitnesses state that they saw Mark Garrow aim a rifle and fire 10–15 shots at the Chub car. Another eyewitness stated that he saw several police cars in the parking lot at the time of the incident. No arrests were made at the scene, and the shooting incident was not reported to police at the time.

About two hours later, two people drove up and fired 35 to 40 rounds down Ransom Road at the Raquette Point encampment. An eyewitness saw the gunmen get into their vehicles and head in the direction of a reputed after–hours speak–easy operated on Raquette Point.

Several hours later, or around 6:00 a.m., vigilante leader Bill Sears was stopped by traditional Mohawks who disarmed him, taking from him an AR–15 Colt semi–automatic rifle and a .357 magnum handgun.

The next day, Paul Tatlock received phone calls. A male voice warned him to watch out, that he was next. At around 4:00 a.m. the next morning he awoke to smoke in the building which serves as both his business and residence. He and his wife escaped uninjured, but the building was a complete loss. He made statements to the news media in which he indicated a belief that vigilantes were responsible for the fire. Although they were aware of the threats to the Tatlock residents, State Police said they could find no evidence of arson.

Several days later, Bill Sears was charged with violations of the conservation law and felony possession of a handgun, a charge which carries a mandatory one year jail term. Shortly thereafter, State Police charged Allen Jones with violating the conservation law and harrassment. He was fined $50 and released.

Allen Jones bears very little physical resemblence to Mark Garrow. Jones is, however, a vigilante, and he has been identified as the individual who accompanied William Sears on the same night to Raquette Point where some forty shots were fired at the Traditional Mohawk encampment there. William Sears has been charged with illegal possession of a handgun as a result of that incident, and we believe that the handgun in question appears on a handgun permit issued to Allen Jones.

The Mohawk Nation responded to the Jones conviction with a letter to St. Lawrence county District Attorney Power. Since the shooting incident occurred at a place outside of the Akwesasne Territory, there was no dispute involving claims to jurisdiction involving the Tribal Council. The Mohawk Nation letter read, in part:

"Citizens of the Mohawk Nation were shot at in two separate incidents in the early morning hours of December 27, 1980. The first shooting incident occurred at approximately 1:30 a.m. in the vicinity of the parking lot of Tootie's Bar near the village of Rooseveltown in St. Lawrence County. Several eyewitnesses have identified Mark Garrow, an Akwesasne Police officer, as the individual who fired the shots. He was allegedly off duty at the time of the incident. These same eyewitnesses came forward and gave statements to New York State Police on December 27 and December 29 which clearly identify Mark Garrow as the man who aimed a rifle and fired some ten shots at a car occupied by at least two men. State Police have charged Allen Jones, an individual identified as being present at the scene in the company of Mark Garrow, in the shooting incident at Tootie's Bar. Jones has pleaded guilty to the charges of harrassment and violation of the conservation law, and has been fined $50.00.

"THERE HAVE BEEN A NUMBER OF FIRES OF MYSTERIOUS ORIGIN. IN EVERY CASE, THE VICTIMS WERE EITHER TRADITIONALISTS OR PEOPLE CRITICAL OF THE AKWE--SASNE POLICE...."

The eyewitness accounts indicate that it was Mark Garrow who fired the shots at Tootie's Bar. It is possible that Jones did shoot at a moving car from the vicinity of the parking lot at Tootie's Bar, but if that is true, then eyewitness accounts indicate that there were two people doing the shooting and that the second person was Mark Garrow. Jones pleaded guilty to greatly reduced and totally improper charges in this incident. The shooting incident at Tootie's Bar was the most serious and dangerous incident which has taken place in the political conflict which has surfaced at Akwesasne since May, 1979. Firing shots at people is a serious violation of the penal law. Such an act is simply not defined as harrassment, which usually involves a verbal exchange or some other action which is not life threatening, nor is it a violation of the conservation law which is intended to stop people from discharing firearms at non–human targets (or even no targets) from or across a highway or within 500 feet of a dwelling. What occurred at Tootie's parking lot is defined in the penal code under such terms as attempted murder, reckless endangerment, or some other section of the law involving pointing a gun and shooting it at people, all of which are serious crimes.

That Jones was allowed to plead guilty to simple charges of harrassment and to get off with a $50 fine suggests that there has been an attempt by someone to cover up the facts in order to protect an Akwesasne Police officer who is also the son of New York State St. Regis Trustee Leonard Garrow. We are including with this letter statements given to the police which strongly indicate that Jones gave a false statement. Since the statements which identify Garrow as the assailant were given to New York State Police officers, we are forced to conclude that any cover–up must necessarily include the complicity of New York State Police officers under Major Robert E. Schneeman.

Mark Garrow has been reinstated to the Akwesasne Police force. He, and possibly other police officers, have been identified by witnesses as being present at the time and place of the shooting and in the company of Allen Jones. The eyewitness accounts that we present here state emphatically that Mark Garrow did the shooting, but even if he did not do the actual shooting, he was present at the time and was certainly an eyewitness. He did not come forward and press charges against his friend Allen Jones, and no investigation has been launched into the role he played on the night in question. Instead, he has been reinstated as a police officer by Akwesasne Police Chief Harris Cole.

We demand a thorough investigation of this affair by the St. Lawrence County District Attorney's Office and we demand that if illegal actions are uncovered, those involved be prosecuted to the fullest extent of the law. We are especially concerned that some of those involved in the shooting incident and in the events that followed, including the failure to bring charges based on eyewitness accounts and the laying of inappropriate charges in a case in which peoples' lives were endangered by an individual using a firearm, be fully investigated especially if it is possible that police officers, including New York State Police officers, may be involved in a cover up.

Police agencies and police personnel appear to be immune from prosecution when they commit assaults against their political or personal enemies, and their friends and allies appear clearly in cases such as this one to enjoy practically unlimited privileges against serious prosecution. There is little question that serious offenses were committed at Tootie's Bar on December 27, offenses which are felonies under New York State law. No one has been charged with those crimes, even though there are eyewitnesses to the events. Humans commit errors through imperfections and through design, and police personnel have been corrupt before and will continue to be corrupt until officials in authority see to it that corruption is halted. If there has been a cover up (a Schneemangate) we are within our rights to demand that an investigation look into the actions of the police officers and officials involved. We are no longer able to accept the word of the State Police as representing the truth or any part of the truth in view of this recent event."

As we go to press, there has been no indication of a further investigation into this matter by the internal affairs division of the New York State police. The State Police have supported the Akwesasne Police far beyond the limits of the law. They have refused to investigate allegations of crimes committed by that force. Politics appear to be a priority in the police affairs of New York, just as politics have dominated police behaviour in the darkest pages of U.S. history. At Akwesasne, the true objectives of the State and the strategies they are prepared to use continues to surface with each assault and each apparent arson. Amid that reality, New York State claims that it is the Traditional people who will not negotiate and end to the conflict, and the State Police pretend to be upholding the law.

There is an Armed Camp at Akwesasne
It is armed to defend, not Attack.
It is armed to Preserve, not Destroy, Life.
IT IS ARMED FOR PEACE, NOT WAR.
It is armed with TRUTH AND JUSTICE:
Weapons which seem powerless
Against the Military Forces
of my State and Nation.

It is fortified by REVERENCE FOR LIFE:
A Barricade which seems powerless
Against Greed
Supported by Money and Political Influence.

It is a Symbol of Survival
of HUMAN DIGNITY
and FREEDOM to choose
A Way of Life.

It is a symbol of Survival
OF RESPECT FOR ALL CREATION

It is a Symbol of Survival
O Life on Mother Earth

There is an Armed CAmp at
Akwesasne.

The Road through its Gate is
Trust

By the River of Life,
It ever sings
Its Gentle Prayer for PEACE.

---Janice Romero

Fourth Russell Tribunal
on
The Rights of the Indians of the Americas

AKWESASNE NOTES PHOTO: BANNON

November 1980:

I

There are words being spoken, many words. They are being spoken deliberately and without interruption.

There is a large glass door that opens up into a great hall, many people seated in long rows, and at the center, to the left, a raised podium.

A man is speaking. He is behind a table, next to the podium. His face and head are covered.

This is in Rotterdam, in November of 1980, during the testimony at the Fourth Bertrand Russell Tribunal.

Next to the covered man is a woman. Her face and head are also hidden. Next to them, a little higher, is the jury--several men and one woman. They have earphones on. Accross from them, over several rows of spectators, are booths with translators, camera crews, lights and sound people, security personnel.

The room is very still, but for the man's words coming through the cloth. The room is very still because the man's words are electrifyingly real; and what he is telling us, what he is attempting to describe--is evil. Pure evil.

He is an Indian man from Guatemala, a young man with a light and steady voice. You can't see his nose and mouth, and you can't see his forehead. You can only see his eyes. He has dark, accusing eyes.

The jury is listening. They are mostly academicians,-more or less prestigious in their fields, and all their heads are turned toward the young couple. The president of the jury has introduced the two of them under the assumed names of Pedro and Juana.

"In my country, the generals rule," Pedro says. "Always, there have been injustices; always there has been oppression-,but today our situation is one of all out struggle against anihilation, against brute and unrestrained violence.

"The army, the police forces, the death squads have all been unleashed against the common people, against the poor Indian. Massacres, assasinations, rapes-,these are now common, everyday occurrences. Our lands--what little we have left, are expropriated. If we complain, if we resist, bullets are our answerj death under torture is our answer.

"Many of you might have thougth that we were strange, coming in here like this, our faces covered, like bandits. But this is our reality, difficult to understand, even to contemplate. We have sought, in every way, peacefully, respectfully, to look for a good life, to be able to improve our lives. But today it is impossible to argue, to try even a dialogue with the government, with the dominant class."

Guatemala. In the United States, in most Western-dominated countries, you don't hear about it very often. A Centıal American country with a very large majority Indian population. Five million Mayan Indians--comprising several nations (Mam, Kekchi, Cakchiquels, others), several languages. The Indians are poor and the country is run by the military, by industrial magnates, by foreign corporations. Among them, they share the profits and the priviledges derived from plantations, from mining complexes, from factories. The Indians are displaced from their lands and made to serve in the army, to work in the factories, the mines , the plantations. They must work cheap (often no more than a $1.00 per day), and they have no rights; they have no rights.

In Guatemala there are very few full-blooded whites. Most people are at least partly Indian, racially. But in the Indian communities there are two descriptions--Indian and Ladino. Indian means Indian-,it means language, culture,history, religion, a sense of the land, a wish to preserve identity-,it means the continous weight of injustice. Ladino is the non–indian, and very often, it has nothing to do with the color of the skin.

Ladion means the change of mind. Ladino is a mentality. It is a mentality that turns the individual away from the common purpose of family and community, nation. It is the learned cleverness of small and big deceits, the business mentality. It is the city–oriented wish to "advance", to leave behind the "backward" roots, the communal life, with all its problems, indignities, with its natural joys. In Guatemala there is that,-Ladino and Indio-,warring mentalities. In Guatemala there are also poor and rich–and the Indians are all poor,-but there are also poor ladinos, as there are poor blacks, poor Asians. In Guatemala there is a war going on--the Army of the Rich is making war on the poor, and the poor are beginning to organize an army. It is a no pretense war. There is no pretense of "diplomacy" or "human rights" or even "civil" rights.

Pedro is speaking: "Since 1974 to the present time there have been 70,000 political assasinations. In 1980 alone, between January and August, the Army of the Rich carried out selective campaigns of eliminating the People's leadership. During that time there have been assasinations of 100 Indian leaders, 70 worker or union leaders,63 student leaders, 41 academic leaders, 4 priests, 13 journalists, and 38 polititians.

"The government quite openly has announced its plan to destroy all the popular organizationsj it has said that for there to be "law and order" another 1,000 leaders must yet fall. These figures are only, as I say, the active repressions of leadership7they do not reflect in any way the massacres (such as the one in Panzos, where over 100 people were machine–gunned to death); they do not reflect the dissappearances of community people, they don't reflect the rapes, the tortures of the common people..."

The room is silent, For a few moments, Pedro too is quiet. I remember his eyes––dark, and at the moment reflective, as if wondering if his words have had an effect. He is young and a good witness, a credible witness. It is true that if he and his companion, Juana, were identified, their lives would be in great danger back home. A tale emerges––one story among many, but one exemplary of how it goes for Indians in Guatemala. It starts in the North, where the generals and the industrial magnates have developed a highway project––the Transversal del Norte––where lands are being expropriated, developed, and where the army has moved in enmass, an occupied country.

Juana speaks: Sometimes, in the more remote areas, in the jungle areas, they pretend to give us lands. The Indians are given lands to clear away. Then, when the work is done, the Army is moved in. The people must move on. Some resist. Then the night raids. A village is occupied. The men are shot or kidnapped, the women abused, sometimes by 15–20 soldiers on one woman. The men,when they resist, when they speak up, they are identified. Later they––the security police––come after them."

In the Fall of 1979, seven Indian men dissappeared. They had been sought and questioned, then they vanished. No one knew where they were The People of their village decided to send a delegation to the capital, to look for

justice, to raise the issue.

They are humble people, and must walk -a 24 hour journey through the mountains to the capital city. Once there, the delegation visits the army headquarters, where they are thrown out. They went then to the Congress. "In the Congress," Juana says, "they laughed at our brothers and sisters. They laughed at them and threw them out."

Shortly after the return of the delegation to their home village, the army lets it be known that seven men, dressed in green fatigues, sporting two old hunting rifles have been killed, ambushed, that they are guerrillas. In the same region, during the same time, an Indian man was crucified to death. "They were massacred," says Juana. "They were not guerrillas. They were dressed up in green, given the two old guns, put up and shot to death."

The people are outraged. A second delegation leaves for the capital. They seek justice, they want to be heard. Pedro: "The word that a delegation is coming spread this time. In the capital, the police and army are waiting. At every enterance road, the trucks, the jeeps are waiting. But the delegation manages to evade the repression, and once in the city, begins to seek support.

"The first attempts are made to speak with the government institutions – but we are not heard. There have been many threats. We go to the press. But they too, will not speak. Then to the schools, to the universities, to denounce before the students what is happening in our communities. There we find some dialogue, some communication, but the reaction of the government is to publicly denounce the staffs of these institutions of being 'communists' for even speaking to us. So their hands are tied...

"We went then to the popular organizations. There we found more support. But the repression then intensifies. We speak with a politician brother, Ish Campari, from the Partido Unido Revolucionario (PUR), who offers his support. And a few days later he is assasinated. And now our path is blocked everywere. The repression pushes to capture us – at press offices, at universities, the army is waiting for us.

"Where they are not waiting the doors are closed to us. We wonder: how are we to dennounce the injustice effectively, how to petition that the army leave our communities. Everywhere we go there is no response but brutality."

By now it is January 31, 1980. The people of the delegation decide to try to raise the issue internationally. On that day, they go to the Spanish Embassy, they go, Pedro says, 'as we have always been, humbly, respectfully.

"Our objectives were clear: 1) Demand the creation of a commission made up of known religious and governmental figures to travel to the region of Uspantan and investigate the claims,-to find our who are these 7 assasinated Indians; and 2) that the army be withdrawn from the departments of Quiche, Chimaltenango, Huehuetenango, San Marcos and Quetzaltenango. For a few hours, we held the embassy. Then we got our answer."

Without warning, Guatemalan army and police personel surrounded the Spanish Embassy. Almost inmediately, they opened fire on the building and began to lob firebombs inside the windows. Within 15 minutes 39 people had been burned alive or shot to death, including 21 Indians, 4 students, 1 worker, 1 urban slum dweller, 7 embassy staff and several ex,government workers. The only two survivors, one Indian from the delegation and the Spanish Embassador were taken to hospitals. They both had police guards. That same night, the Indian brother was kidnapped by a right,wing terror group and his body later discarded at the entrance to a local university. The Spanish Embassador, who had denounced the massacre, later declared that he believed his own life was saved only by the watchful presence of the Costa Rican Embassador, who sat with him throughout his time in the hospital.

Juana speaks:"Afterwards, the Army of the Rich began to mobilize itself very forcefully. It started operations in all sectors and regions of Guatemala. In the capital itself, all roads leading in are posted and patrolled, for fear that the Indian People will now come to reclaim their dead brothers.

"Later, the people did mobilize then we did go to the capital to demand our dead brothers-, because they would not turn over these bodies to us. We suffered much to ask for them-,with the army persecuting us. From one moment to the next, they wanted to do away with us, the ones who wanted to properly bury our dead. Then we did get our dead brothers. We took them. Then we fixed them and provided a wake for them. And the army came after us, then the police, asking 'Who are these people?Where are,they?

"Finally they came to us , and they came shooting, killing, even during the wake,,and two more students were killed. They they threw tear gas and we found ourselves in trouble,-unable even to bury our own dead, persecuted. Many truck-loads of soldiers arrived then at the cemetary to make sure the dead were not buried. What did they want,-I don't know. To finish with our cadavers which were already burned, carboniezed. Hateful people, they wanted to destroy everything.

"This was a great pain for us, and the response from the people, the Indians,,we came back-,we had a massive burial, 50,000 of us and the oppressors had to back off. Since then, the repression, the massacres have increased everywhere in our country."

Pedro speaks: "We are organizing in every sector of our country. The people look for a solution, and our only path is through organizing ourselves, to fight, truly, for the peoples' interest. In our case, the Committe of Campesino Union (CUC), we fight to recover our lands we fight to be respected in our cultural values, and we look for something bigger, too. We look for a profound change in our country. That we should be able to cultivate our lands, to hold our territories in our communal ways, as it was before, where production was a collective effort, where the land belonged to all and we had no borders or limits between one family and another,-all of which is against the method imposed on us by the rich of Guatemala. ' "To be able to eat at least what we need to live to be able to express our deepest thoughts; to be able to sleep' peacefully in our homes. We seek, along with the workers, the students, the christians, the polititians, the democrats,-to build a just society.

"For the rich, for the army, one of the big difficulties is our languages. Because for centuries and centuries, they have not been able to destroy our culture, Our languages, our culture is our protection. As we protect our ways, so it becomes difficult for them to fully investigate us. But every day, the reppression becomes more intense. Our languages are forbidden. They won't let us, for they know that in our own languages we can explain to our own people our own problems, our own solutions. And that is our instrument.

"But the rich, the oppressors, they are desperate these days. As our movement grows and as we gain the support of right-thinking Christians--then they too are oppressed. In some places, the army has gone into the Christian churches and machine,gunned the statues of the saints, as if they were guerrillas themselves, as if their very existance were a threat. In Santa Cruz del Quiche, all the religious personnel were expelled.

"Now, of our own Indian religion, when the elders,-or for lack of a better term, our 'priests'-- when they go to the mountain ledges to speak with the spirit of the Corn, the spirit of the Moon, the spirit of the Earth, they are persecuted – for fear that they will pray for the people in struggle, that they go to pray to the Spirit of the People and that as they are going to climb the mountain, they are kidnapped, they are tortured, they disappear.

"Since 1521, we the Indians of Guatemala have suffered repression, persecution and discrimination. We have suffered massacres since then. Since then, too, we have been struggling, with tenacity, truthfully, and this you could study without much effort, in our own sacred books, such as the Pop Vuh-,many uprisings. And now, on this day, we are conscious and wish to request from all of you your unconditional support. Because it is a fact, this tribunal is a support. But it must continue, more efficiently, more concretely,-we have no choice. Otherwise, we will continue in the massacres, in the tortures. And you will continue to find in the pages of newspapers about the discovery of so many unidentified cadavers all over our country. We ask for that, from all of you, as we recognize all the efforts thus far.

"So, you must excuse us, our painful words. But from the North to the South, from the East to the West, all over our country, this is our reality."

They stand up, small, slightly-built. Pedro and Juana-you can tell that they are humble, simple people, deriving no benefit from this act, rather risking further persecution. Now they walk off, escorted by friends, faceless, nameless, like so many others who toil and live and die in their troubled, occuppied land.

AKWESASNE NOTES PHOTO: BANNON

Oren Lyons:

Niaweh Skanoh: to all my brothers and sisters, to the who have come this far to the people of Holland; to the peop e who have journeyed here as jurists to the mayor--welcome and greetings from our people.

The issue is peace and the survival of the Seventh Generation to come. As one of our chiefs has said before, we must put our minds together to see what we can do for the welfare of our children, their future.

And so we are here. We have come here to your country, and we represent the indigenous people of the Western Hemisphere, and also the indigenous people of the Four Directions, the original people--with their instructions, with their cultures, with their languages, with their children, with their peoplThe delegates who have arrived here must be appreciated, for the effort and the courage that it takes to be here in this Tribunal. We must recognize the delegates and the people who are unable to be here. And we must remember that there are millions of people looking in this direction, millions of our people looking over here at this particular event, hoping that there will be support for the survival of our people.

It is a great responsibility to all the delegates who are here and I must commend the Russell Tribunal for the courage to take this issue--because we are challenging the major powers of this world.

But we bring with us a power. A spiritual power. And a spiritual knowledge that will help in this great effort for the protection of the life of our Mother, the Earth and all beings and creatures upon it. Without our Mother and the source of life as our brothers from the Dine, when they opened, spoke about, we will not survive. Technology cannot take the place of life and that process which is natural. And so we are going to speak of the Natural Law; we are going to speak of the Superior Law, the law that will prevail regardless of governments, justices, tribunals and technology. It is this knowledge and information that we br It is tragic--the issue of survival, but on the other hand, there is a great lift to the spririt of our people. And even though the subject is tragic, the meeting here has a great spirit to it. And it lifts my heart, and I know it lifts the hearts of all these people who have come here to see the support of our brothers from across the waters.

Now, We are the visitors.

It was said by a Lakota brother when he said, "Now we must go overseas and we must see where the father and the mother live of the ones who now people the Americas, and we must talk to them about the conduct of their children.

And so, we are here. Our brother, who we greeted upon the shores hundreds of years ago has grown very large and very powerful. The brother whom we helped survive, whom we kept alive and gave the knowledge of life and government, has now become a problem. He has become a problem for the survival of all the colors of man. And it is this issue that we are going to talk about.

It is no happenstance that we arrive here in Holland. In the early part of 1600, your people were in what they called New Amsterdam. And at that time, they came north into our country, The Hodenosaunee country--called the Iroquois by the French, and the Six Nations by the English. And they came there and they asked for protection, and they asked for peace, so that they could travel in our territory. And so at that time an agreement was struck. And our Chiefs said: "At this time, since it looks to us like you are not going to return. It looks like you are here on a permanent basis, and there seems to be more coming behind you, that we set down some rules of conduct between our two peoples--so that we may co-exist in a peaceful and friendly manner. And so, in the early 1600s the Geswentah was struck between our two peoples--between the Dutch and the Haudenoshonee and all the red people.

AKWESASNE NOTES PHOTO: BANNON

And so this Geswentah, this agreement, was kept in writing by your people, and for us it was kept in the Wampum Belts. And so today, we return this agreement between our people. We return to remind you of what it was we said to one another in 1600. And how we are to co-exist. It is this message that I bring at this particular time.

This row is the Ongwe Honwe or the red man. This row is our white brother. They are on a white background, for peace. They are equal in size. And this in between is called the river of life. And so we travel in peace and friendship down through the river of life, equal and respectful of one another's ways. This is your boat and all the things that are in your boat-- your peoples, your governments, your many religions. This is our canoe--this our people, our way of life, our religion. It is a small canoe, because the Indian life is hard and simple. Your boat is large, and it has many things.

And so they said that we will co-exist and it begins here--but there is no end. For we know there are going to be other agreements. And they said: "You will not interfere with us and we will not interfere with you. We will respect one another, and we will call one another brother--rather than father or son, because that denotes equality."

This was a document of great humanitarianism, in that time, in that age, because it was then that your people were weak, and seeking aid. And it was given, and here is the proof of it, and this represents the thinking of red people: they said at one time, in the future, perhaps this time that some of our people would have one foot in the boat and one foot in the canoe. That is a very dangerous position for any person. And in a time in the future a great wind is coming and it will spread the boats and the canoes apart. And the boat will fall into the water and there will be no force this side to save those people. So we think that perhaps this is now the time we remind you of this agreement and as I say it is no accident that we are here today. Again perhaps it is a renewal of this agreement.

When I came into the airport today travelling on my passport, I was questioned as to whether I should enter or not. And it reminded me of this agreement when I was talking to those people and I said we didn't question them, we didn't stop them. Now times are different but I don't think people are different. I don't think ideas are different. I don't think the principles of life are different. It's justice we talk about, it's truth that we talk about. It's the reality of the equality of all life that we talk about, and the indigenous people of the four directions are the conscience of this world. If you kill that conscience then what is going to happen will be the destruction of your children and our children and so that is what I bring--those thoughts--to start with and to remember the millions of red people who are looking in this direction for our help. This is indeed serious. There are consequences to being here. This is serious for the welfare of our people. So I ask that we put all of our efforts together for our mutual benefit, as we have said before and let us renew this covenant of peace and friendship forever.

II

Rotterdam--November 24-30, 1980.

There were many cases presented at the Russell Tribunal--many cases presented, and many, many more cases that should have but could not be heard--for lack of time, for lack of resources, for lack of recognition.

There were the Mapuches again, from fascist Chile; there were Guaymi from Panama; the Quechuas and Aymaras from Bolivia; the jungle peoples of the Peruvian Amazon; the many nations inside of Brazil, inside Argentina; there were the North American nations: Hopi, Haudeenosaunee, Western Shoshone, Lakota, Dine, Ojibway, Montagniards, Cree there were the other tribal, aboriginal peoples from the Four Directions, whom we are just beginning to encompass.

Some we had met before, at other international fora, at Barbados II, at Kiruna, at Geneva, in 1977. Many were new faces,,new situations, old nations, Peoples, groups, new definitions. Throughout the week, they testified, presented evidence, accussed governments, corporations, sought support. In this issue, we will carry as much of it as space allows; and also in future issues.

The idea of summoning a tribunal about the rights of indigenous peoples arose in Geneva in 1977. In January of 1978, the initiative was taken by the Workgroup Indian Project, a Dutch group, which was originally formed for the purpose of spreading information about the plight of Indian peoples.

In December 1978, the Workgroup began a co-operative endeavor with individuals and existing organizations which devote themselves to the cause of Indians: the Werkgroep Indianen Zuid Amerika (WIZA), the Nederlandse Actiegroep Noord-Amerikaanse Indianen (NANAI(and the Werkgroep voor Indianen in NOOrd Amerika (KIVA).

The attempts to obtain support fot the idea of a tribunal were successful. More and more positive responses were received from the native peoples, and by means of these

Phillip Deere

At this time I would like to say that I am not making a presentation, but I am here to support the other issues that will be brought up and at this time I would like to speak on behalf of the traditional people all over America, people who are traditional–minded, people who want to remain Indian people.. Throughout many of my travels and many of my speeches I give encouragement to many tribes throughout North America, South America, all over America, wherever I have reached the Indian people, I have encouraged them to remain themselves, because it is my understanding that there is no failure in life until you try to be somebody else...as long as I am who I am I will never fail in life...and this is my understanding. We have many different nations of people that that have come together tonight. Native people have suffered for many, many years and they have been struggling at least four hundred years. We fought and we resisted to prove that we are the original people of the Western Hemisphere, we are the evidence of the Western Hemisphere, and we live the way of life that has been tested in tribes for thousands of years...that way of life never failed us...that way of government never failed us until it was interrupted with in 1492. From that time on the Native people began to suffer and to this day we are still fighting for our freedom. I represent many native people, the movement people. I was never ashamed to be a part of the American Indian Movement that you heard about. I was never ashamed of the incidents of Wounded Knee and many of our protesting Indian people today are being involved with their movements, no matter how they are put down, how they are pointed out. Call them militants, call them communists, anything you want to, but they are still my brothers and sisters, they are still my people. We are still the evidence of the Western Hemisphere.

No matter what kind of a bureau, no matter what kind of a department has been established, for the Native people this has never changed us. It takes more than a government here on earth to change my color, the language that I carry is a Native language that was given to me from the beginning of time. My color was given to me by the Creator. It did not take a certain law of any country to make me who I am. For that reason I sometimes hate it because I have to speak this borrowed language, because I know my own language, but the borrowed language that I speak is a terrible language. I can compare it with the Indian language. There are many words in the English language that have no meaning. This language can be twisted around in the way you want to.

During the Tribunal I have been wondering and I have been thinking about the juries. I have been thinking about anthropology people. I have been thinking about the historians, that will be a part of the Tribunal. I have been wondering about people that know the difference between truth and facts. As Native people we have only one word and that word is truth. That is all we have. In all of our languages we use the word truth and that truth that we understand has been with us ever since we have the language and that is why in the opening our brothers from Six Nations presented to you the Two-Row Wampum Belt. Because this wampum belt proves the truth, it tells the truth about how life is supposed to be in the Americas. This was our agreement. In this way and in truth these agreements were approved of by all the nations that we made treaties with. Every treaty had a meaning to us because we believe in the truth.

Thinking that these treaties would be kept, respecting all human beings that they too must believe in the truth so they will keep their word and they will be honest. But the idea of the Indian people when they first made the treaties and to this day, the Six Nations people have never forgotten it. The wampum belt that you see has been handed down and carried around by the Six Nations people. How many Dutch people in Holland remember that they had a treaty with the Six Nations people at one time, so the students of all universities today do not study these, they do not know these. In the Americas, the universities do not provide the true information concerning the history of the natives of the Americas. We know this because we still believe in the truth. If the jury during the Tribunal can understand the difference between the truth and facts, they will be able to make good decisions. Facts become the truth to the society as long as you can get people to believe it. There does not have to be truth in it. Facts can originate from lies, but if you get enough people to believe in it, it becomes a fact to them, it becomes a truth to them. But as Native people, we believe in truth, and not in facts. And that is why we never had a sign of receipt, because we know we were dealing with each other in an honest way. And that is why we could trust one another. For that reason we never had locks on our tipis, we never had to have a key to open up our wigwams because we could trust one another. Our doors were always open. Through these came in Christopher Columbus and through these doors came in many nations of people, the pilgrims and the rest of them. They came through these doors because they were open. So our people were honest and truthful people. We have an archeologist in here, go ahead and dig all you want to searching for the history of the Americas and you will never find evidence of prisons. We, as Nations of people, are still proud that we never had prisons, never had jailhouses. Jailhouses and insane asylums are institutions for people who do not understand what life is all about.

But in our existence of thousands of years we wanted to continue to go on living according to what heard from Oren Lyons.

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contacts, the ground was laid for developing the basic issues of the tribunal.

In the Netherlands private persons provided the financial means for getting the initiative off the ground. Almost all the major political parties declared that they were prepared to sit on the advisory council. A number of people who considered themselves to be directly concerned with the cause of Indians did so, as well. The Workgroup Indian Project also found support from organizations in other European countries. At an early stage, cooperative relations were established with different branches of Survival International, an organization which concerns itself with peoples and minorities threatenened with extinction thoughout the world. Besides the cooperation with the English branch of Survival, the contact with the Gesellschaft fur Bedrohte Volker, with their considerable credibility among Indian groups, was particularly fruitful. In addition, close relations were maintained with the International Workgroup for Indegenous Affairs. This Workgroup occupies itself with the situation of oppressed peoples in various countries. Another contact group was Incomindios, which is situated in Geneva (with branches in Austria, Italy and France).

Communications with a great number of organizations in Belgium, Germany, France and Sweden grew apace. At the same time, relations were established with indigenous peoples in other continents.

It was this constant widening of communication and interest in the Tribunal, the evolution of the basis which inspired the Russell Peace Foundation to declare it the Fourth Russell TRibunal.

According to the Tribunal's official Handbook: "Although the Indian Peoples' tradition of resistance against oppression and discrimination goes back to the time of the Spanish, Portuguese, Dutch, French and British invasions, an unmistakeable revival has been witnessed in the last decades.

The Indian Peoples are organizing themselves more and more, at all levels,,local, regional, national, and international. The high point of the developments thus far has been the International Conference of Non–Governmental Organizations against the Discrimination of Indigenouse Peoples of the Americas, which was held in Geneva in 1977. The conference was organized by the International Indian Treaty Council (in conjunction with several other native organizationa and Nations, ed., under the auspices of the United Nations (of which the NGO's are a part). There were representatives from almost all American countries, who voiced grievances against the many violations of their rights, and who gathered to discuss a common strategy.

In contrast to the vast regional, cultural, socio-economic and political differences, there was a matter of universal agreement: the oppression of which Indians are victims. The problems were discussed by various comissions. A judicial commission investigated the ways in which the legal status of the Indian Peoples, their treaties and rights to land are manipulated, how they are suppressed by discrimination written into law and institutionalied governmental violence. The land question,-the fundamental point,-was further examined by the economic commission. Another commission occupied itself with socio,cultural problems. Indians have suffered not only genocide, but also ethnocide (the destruction of cultures), through forced integration on the cultural, social, economic and political levels.

In the Final Declaration of the Conference, which was signed by all the representativs attendant. In the Final Declaration of the Conference, which was signed by all the representatives attendant, the Indian Peoples convictions about their rights and set forth. This situation is charactarized in the Declaration as follows:

"Although the specific situation may differ from one country to another, the roots of the problem are everywhere the same: violent colonization to pave the way for the plundering of the land and the mineral wealth, for the benefit of commercial interests and profit maximization; the age,long mass murder of millions of Native Peoples and the encroachments upon their lands, so that they deprived of their opportunity to make use of their own natural resources and to maintain their own existance the denial of the right of self,determination to indigenous nations and peoples, whereaby the traditional value system and the social and cultural patterns are violently disrupted."

During the conference it was emphasized the the continuation of these practices will lead to the total destruction of the native peoples.

In the program of action of the conference it is proposed that the traditional laws and customs of the Indian poples and communities should be respected, and that the authority of their legal organs deserves to be recognized. Non-Indian regional, national, non-governmental and inter,governmental organizations were invited to bring the subjects covered at the Conference to the attention of the world and to bring new evidence of similar transgressions to light.

In line with the recommendations of the NGO-Conference, the Fourth Russell TRibunal dedicated its efforts to an investigation of the violations of the rights of Indian Peoples."

One way of life for us, we could not pick up two ways of life. So we have tried and it cannot be done. When he mentioned that the two vessels, the large vessel, the small canoe, that when they be one, a mighty wind could come and separate those two vesselsapart. The one that was trying to ride both canoes will fall into disaster because a mighty wind would come and separate the two vessels. That mighty wind is my brother according to my Nuskogee tribes. I am of the wind clan. So sometimes I believe I am a trouble,maker among my people and the non-Indian people, because it separated them, because they have two different ways of life. One way of life, life itself, is valuable to our people. We belive in living while the society tells us to die. It is better to die because there is another land up here better than Holland, it is what we are being told all the time. So our thoghts are on dying. But as Native people we believe in living, giving life. We gave life to the first people that were starving in our country. We showed them how to survive. When they brought to us and told us about the tree of life that we could not see, we gave them tree of life that was visible. The corn was introduced into the world, that was the tree of life for us. We depended on it. All this perhaps is in the past history but in order to continue with our culture and our way of thinking and our way of life, it is too bad that many other Native people have to lay down their lives. Many of our people have to suffer and have to come down because of them seeking freedom, the natural freedom that was given to them from the beginning of times. I do not seek the freedom that can be offered to me by any government on earth. I am not talking about a freedom that I can place in your hands with a paper. I am talking about something far more than that. My instructions I have to follow as an Indian person. For that reason I have no sheet of paper to present to you. I have a pipe, I have just tobacco that you have seen me carrying. This is my rule, this is my regulations which is much different from your sheet of paper. You have to follow certain times, you have to follow certain rules and regulations on the piece of paper, but my instructions come from the Creator and not my government. And I want to follow this government because it cannot fail me. We have the oldest government in America because our Indian civilisation was built upon study of nature. We copied off of nature. There we found a way of life, there we found our civilisation that was to last into thousand of years and I do not think that life could have begun any different for any other Nation of people. If you think you could come about in a different manner, study your history, look at your history! When the first people came about, they were very much like the Native people. They had no teachers, they had no instructors, they had no institutions, they had no universities. So they too had to copy off of nature. They too one time were nature-minded and that is why in Amsterdam, Rotterdam, look at your old buildings, you have a reminder there on that building of nature, look at your old furniture and there is a reminder there of nature and then; turn around and look at the modern buildings that we have, all black, there is no floweres on it, there is no leaves on there, there is nothing to remind us of nature. So when we begin to wander away from that type of thinking we all become confused people. Everyone becomes confused and that is why it makes me wonder. Through this Tribunal will we understand the truth and the facts, what is justice, what is unjustice, what is right and what is wrong. Is there any wrong that can be corrected Is there any injustice that something can be done about it?This is what I seek. This is why many of our people today are suffering. Perhaps many of our people are standing behind the walls today in some prisons, somewhere, this very night, we have some Indian persons standing behind these walls because he was seeking freedom for his people. We have some Native people somewhere in a grave tonight because he was seeking freedom for his people. This is the suffering that we have to go through in order to find this freedom. And I hope that each and every one here will understand what our struggle is all about. Do not be confused about the Native people. You must understand where they stand, what kind of freedom do we seek. What are we looking for, you must understand it. And why does our people have to suffer?We do not want to see another Wounded Knee. We do not want to see another Bureau of Indian Affairs take over. We do not want to see none of our people facing more Federal Marshall's guns. We do not want to see more of our people going down into grave seeking freedom for their people. This is our purpose of being here. When you hear about the movement people and you look at them as violent people, first tell me,what is violence, first let me know how broad you can define the word violence. Many of our people may to you seem like they are violent organisations but they are not violent. Many times you studied books about savages, but I will let you know that we were made to be savages. This was not so in pre-Columbian times. We were not that much of a savage, but when we were forced to retaliate that is what we have done . When scalping was brought to us by the white men, we retaliated by scalping them but they first taught us how to scalp. And today we look at our Indian people, many of them. The press says that they are violent groups. They plant the idea of violence in our minds, because the press, the newspaper have told you that these militant Indians are are terrorist groups.

And soon before you think of how bad these people are, find out what they are fighting for, what is causing this, how come they are acting this way. Find out! Then if you are a freedom loving person you stand up with them. If you are a person who believes in freedom you will be able to understand why they are doing this. Because many of us, we are strong. For many, many years we have had to crawl on our hands and knees and beg for this and beg for that, but in our modern times I sometimes feel proud of our younger generations though they grow up in confusion. Sometimes they make mistakes, but they have the courage to stand up. So recently you heard about American Indian Movement. To this day I worked with them because no matter what kind of an accent they teach, they brought the attention to the world, that no more we are going to crawl on our hands and knees. But we are going to die standing up on our two feet fighting for our rights. And in my conclusion I will let you know that we are here asking your support. We are here still seeking our freedom. Let your conscience be your guide because many of us, we have already made up our minds. Now it is up to you to make up yours. Many of us have made up our minds that we are going to continue to go on, with or without you.

We are serious people. We didn't come here for a holiday. We did not come here to be just as the tourist people. We came here strictly for business. So we have many people who would wish to speak throughout this tribunal. There are many presentations. Probably all this week, next week, all this month, we may not be completing them, but somewhere in this world I want my Indian people to be heard no matter how small a group they are. Everyone of them has the right to be who they are. Thank you!

The Jury's Report:

REPORT OF THE FOURTH RUSSELL TRIBUNAL ON THE RIGHTS OF THE INDIANS OF THE AMERICAS' NOVEMBER 1980

In the city of Rotterdam, between November 24th and 30th, 1980, the members of the jury and other bodies of the Fourth Russell Tribunal came together in order to consider alleged violations of the rights of the Indians of the Americas. Out of the forty-five cases submitted to the Tribunal, fourteen were accepted for presentation through witnesses, experts and documentation. Many others have been presented in a more informative way. Moreover, testimonies were received of other indigenous peoples of other continents who have continued to be victims of genocie and ethnocide

.AKWESASNE NOTES PHOTO: BANNON

I. INTRODUCTION

This tribunal has witnessed something remarkable in the midst of a tragedy.

Many oices have spoken before us and have expressed vividly the vitality and the capacity for resistance found among the Indian people. In contrast to what has occured in many other parts of the world in similar circumstances, a significant number of Indian nations and communities in the Americas have preserved their own identity and cultural initiative, in spite of the unremitting efforts of genocide, and ethnocide directed against them.

It may well be that the most severe persecution in human history, lasting for almost five hundred years, has been mounted against the native peoples of the Americas. We refer to the wars of conquest, the fatal contagions brought to the Americas as a part of European contact the enslavement and forced labor systems; integration by violent means into a colonialist economic system incompatible with their community organization of production and way of life and inconsistent with their self-determination; and the prohibition of their religions and the use of their languages.

The program of cultural destruction and social oppression of the native People of the Americas did not cease when the several countries of the American continent declared their independence. On the contrary, they simply assumed new forms. Since then, the machinery of internal colonialism has been continuously consolidated, ruthlessly seeking the desinegration of Indian communities. Now we are seeing an intensification of agression led by governmental and local ruling groups, often dominated by transnational centers of powers.

In the countries where the Indians are islands in a sea of alien culture, the governments deny to the Native People the right to be and continue to be themselves. And in all situations, in practice, the Indians are reduced to the status of raw material for other people's use. Many cases submitted to the Fourth Russell Tribunal have demonstrated, with powerful eloquence, the usurping character of the governmental bodies which are supposedly dedicated to the protection of the native people and to the safeguarding of their rights. We have

been confronted with concrete cases of genocide and ethnocide: mass killings of Indian people harassment of their traditional homelands and expulstion from their historic territories plundering of their natural resources extreme exploitation of their labor and violation of the spiritual foundations of their cultures for which both the land and the living creatures are sacred.

II Legal Definition A Self-determination is defined as the right of a people "to determine, without external interferance, their, political status and to pursue their economic, social and cultural development" (Declaration on the principles of International Law concerning friendly relations and cooperation among states in accordance with the charter of the United Nations).

B. To be entitled to the right of self determination a group must constitute a people, which is defined as: "a group of persons living in a given country or locality, having a race, religion, language and traditions of their own and united by the identity of race, religion, language and tradition in a sentiment of soldarity, with a view to preserving their traditions, maintaining their form of worship, insuring the instruction and upbringing of their children in accordance with the spirit and traditions of their race and rendering mutual assistance to each other".
(International Court of Justice, 1970, Greco,Bulgarian case)

Genocide

Genocide means acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

Ethnocide

Ethnocide means that an ethnic, religious or linguistic minority or a person belonging to such a minority is denied the right, in community with the other members of the goup, to enjoy its own culture, to profess and practice its own religion, or to use its own language.

Human Rights

"Human Rights" does not have a precise definition. On the other hand the concept of human rights as stated in the Universal Declaration of Human Rights, has a core of reasonable certainty. Some of its provisions constitute either general principles of law or represent elementary considerations of humanity. The Universal Declaration of Human Rights must be considered as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society shall strive by teaching and education to promote respect for the rights and freedoms as mentioned in the Universal Declaration without any distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.

III. FINDINGS AND CONCLUSIONS

A. CASES

ACCUSER: Grand Council Treaty No. 9 (Association of Treaty 9 Chiefs) representing the Nishnawbe-Aski nation.

ACCUSED: The Government of Canada, the Provincial Government of Ontario.

LOCATION: Northern Ontario (Canada).

SUMMARY OF EVIDENCE: The James Bay Treaty concluded in 1905 covers an area of approximately 210,000 square miles. There are 40 Indian communities scattered throughout the area of which 30 are only accessible by air. The population exceeds 20,000 which represents about 30 percent of the total Indian population of Ontario.

The Indians were told that they were signing a treaty of peace and good will towards the King and other white men.

Violations of International Law

We, the members of the IVth RUSSELL TRIBUNAL, find that the actions of the Canadian government and the provincial government of Ontario against the Nishnawbe,Aski nation violate the following provisions of Internatiôn Law:

The attempts to take the Nishnawbe-Aske nation's land from them by illegal means violate:

-Articles 17 (1) and (2) of the Universal Declaration of Human Rights

-Articles 21 (1) and (2) of the American Convention on Human Rights

Article 5 (d) (v) of the International Convention on Racial Discrimination

ACCUSER: Conseil Attikamek Montagnais (Canada)

ACCUSED: Canadian Government

LOCATION: The Attikameks and The Montagnais number about 10,000 persons and live in Quebec.

SUMMARY OF EVIDENCE: This case involves a unilateral extinguishment of landright by legislation and the de facto violation of native landrights by the construction of a hydro-electric project.

In 1972 the government of Quebec decided to develop hydro electric projects in several rivers in the north-western part of the province. Several Indian tribes were affected by these measure the Crees and the Inuit as well as the Attikamek, Montagnais, Algonquins and Naskapis.

After several legal actions by the Indians and by the government itself, the government started negotiations with the Crees, the Naskapis and the Inuit only. These negotiations resulted in two Treaties: "la Convention de la Baie James et du nord quebecois" and "la Convention de nord-est quebecois", in which the Crees, the Naskapis and the Inuit tribes surrendered their landrights. Because only the Canadian Parliament may conclude a treaty, a bill had to be approved by the parliament. So, the House of Commons passed a bill (Bill C-9 May 4th, 1977), in which these treaties were ratified. In this bill, however, all indigenous rights and titles to territory were annulled. By so doing the Canadian Parliament extinguished unilaterally the landrights of the Attikameks, Montagnais and Algonquins also. This was done notwithstanding vivid and official protest on the part of the Attikameks and the Montagnais.

Some offical commissions in Canada have already condemned this unilateral extinction of landrights with its severe consequences for the said tribes. As long as this law remains in effect and as long as the Canadian Government doesn't acknowledge the territorial rights of the Attikameks, Montagnais and the Algonquins, their future and their survival as a people is at stake.

ACCUSER: Sovereign Haudenosaunee Confederacy

ACCUSED: United States, State of New York, St. Regis Mohawk Tribal Council

LOCATION: Vicinity of the U.S. , Canadian border, State of New York

SUMMARY OF EVIDENCE: The Haudenosaunee (the Six Nations of the Iroquois Confederacy) is a confederation of six sovereign nations in the north-eastern United States. It is governed by the Grand Council, composed of chiefs of the member nations. The chiefs of each nation are appointed by the clan mothers.

The Mohawk Nation, a member of the Confederacy, presents its claim that the United States is denying its right to its homeland on the basis of a fraudulent treaty, and that the State of New York has imposed an alien government against the wishes of the Mohawk People. The aboriginal territory of the Haudenosaunee was guaranteed in various treaties it made with Great Britain. After the American Revolution, that guarantee was repeated in the Treaty of Fort Stanwix (1784) between the Haudenosaunee and the United States.

The Mohawk Nation has never ceded any of its treaty-guaranteed aboriginal territory. New York State, however, claims title to most of the Mohawk land, based on a 1797 treaty. The "treaty" was signed by representatives of the State of New York and two individuals who claimed to represent the Mohawk Nation. Neither individual, however, had ever been appointed a Mohawk chief or to the Grand Council, and therefore had no authority to act on behalf of the Mohawk Nation. Mohawk law prevents sale of the Nation's land, which is held in common, by any individual.

In addition, the State of New York has, with active support of the United States, enacted legislation creating a St. Regis Tribal Council to govern Mohawk people and land. Neither the traditional Mohawk government nor the Mohawk people were ever consulted and have never agreed to the change in their form of government. There is no basis in Mohawk law for the Tribal Council's exercise of jursidiction over the Mohawk Nation. The Council has created a police force which is unauthorized under the Mohawk law, but which interferes with the traditional government and with the property and rights of the Mohawk people. The Tribal Council is supported by New York State police and courts, and the United States refuses to restrain the unlawful interference. Mohawk people are under indictment in state courts for refusing to submit to the authority of the illegally imposed Tribal Council. The State of New York has used and threatens to use its armed forces to arrest Mohawk people and remove them from their territory if they refuse to recognize the authority of the imposed government.

Violation of International Law

We, the members of the Tribunal, find that: The actions of the United States and the state of New York, directed against the Mohawk Nation and its traditional government, violate the following provisions of international law:

1. The accused are violating the right of self-determination of the Mohawk people by creating an alien government and imposing it in Akwesasne. The right of self determination is protected by:

-Articles 1 and 55 of the United Nations Charter

-Articles 1 of the International Covenant on Civil and Political Rights

-Articles 1 of the International Covenant on Economic, Social and Cultural Rights

-Principle VIII of the Helsinki Final Act

-The Declaration on the Granting of Independence to Colonial Countries and Peoples

-General Assembly Resolution 1803 (XXII) Concerning Permanent Sovereignty Over Natural Resources

2. The use of force by the state of New York, with the approval of the United States, against the Mohawk people and territory, and its unwillingness to resolve disputes by peaceful means violate:

-Article 2, sections 3 and 4 of the United Nations Charter

Principles II, III, IV and V of the Helsinki Final Act

3. The failure of the accused to respect the jurisdiction and lands of the Mohawk Nation and traditional government violate:

-The Treaty of Fort Stanwix

-The Treaty of Canandaigua

The failure to honor those treaties violates:

-Principle X of the Helsinki Final Act

4. The attempt to extinguish Mohawk land rights without consulting the traditional Mohawk government violates:

-Articles 13 (1) and (2) of the Universal Declaration of Human Rights

-Articles 21 (1) and (2) of the American Convention on Human Rights

-Articles 5d, 5v, of the International Convention on Elimination of All Forms of Racial Discrimination

5. The right of the Mohawk people to a fair and neutral tribunal for determination of their rights is protected by:

-Article 10 of the Universal Declaration of Human Rights

-Article 8 of the American Convention on Human Rights

ACCUSER: Sovereign Hopi Nation

ACCUSED: Hopi Tribal Council and Government of the United States

LOCATION: Within the territory of the Dine (Navajo) Nation, northeastern Arizona, U.S.A.

SUMMARY OF EVIDENCE: The Hopi have occupied their land in the southwestern United States for well over a thousand years. The Hopi live in several independent villages which together form the Hopi Nation. The Hotevilla Hopi have presented two issues: the alien form of government imposed on them and the attempted theft of their lands. Both acts were carried out by the United States government.

The evidence shows that the United States Congress passed the Indian Reorganization Act (I.R.A.) in the early 1930's and immediately began to try to convince the Hopi to adopt U.S.–style government. The majority of the Hopi wished to retain their form of government in which each village was governed by its kikmongwi (spiritual leader).

The United States Bureau of Indian Affairs conducted an election among the Hopi to decide whether to organize a new form of government. Most Hopi people expressed oppostion to the proposal in their traditional manner: by abstaining from voting. The United States, however, ignored that overwhelming expression of Hopi opposition and considered a vote of approximately 10% of the population eligible to vote to be a binding acceptance.

The United States has refused to respond to repeated attempts by the Hopi since that time to demonstrate that they wish to keep their traditional form of government, and that they do not wish to organize under the I.R.A.

The Hopi Tribal Council (the I.R.A. government) signs contracts to exploit resources on Hopi land despite the oppostion of the traditional Hopi people, the resulting deterioration of the air, land and water of Hopi country, and the destruction of Hopi sacred sites. The Hopi Tribal Council violates several provisions of the (I.R.A.) Hopi Constitution, including the prohibition on sale of tribal lands or other property (Article VI, section I(e))and the provision that the kikmongwi shall be the leader of a village until the village decides to organize differently (Article III, sections 3 and 4).

Editors' note: The Jury's Report is quite lengthy and detailed. Lack of space restricts us from running it in full this issue. In future issues we will print the remaining sections–and transcripts from other presentations by the Native Delegations.

Guaymi Delegate:

We bring a cordial greeting on behalf of the General Congress of the Guaymi of Panama to all the Indigenous Peoples of the Americas, and to all peoples who collaborate and solidarize with us in our struggles against oppression.

We are glad for this Tribunal, in which the oppressed, specifically we, the Indians are not the accussed, as more usually occurs, but are rather the accussers. For this we are very thankful.

We accepted the invitation to present our case, first, because we believe in the solidarity of our Indian brothers, of our class brothers, and in the fundamental neccesity of mutual collaboration for our struggle. Secondly, because we consider this Tribunal an important instant, though not the only one in our long struggle for liberation. Finally, we want to make clear that our case does not merely represent one threatened community, but rather a whole people–– the Guaymi Nation, which is being humiliated and is in danger of anihilation. Our case is not solely a struggle against some rich land–owners or against some exploiting missionaries, but it is against all of an empire. Our fight is not to gain political power within the Panamanian state–– but to live our lives. We will not allow them to destroy us.

Panama is known by many people because of its canal––but Panama is much more than just a canal. To cause pain and oppression among our people, there exists a financial center with 107 banking firms and 35 million dollars to work with. There exists a "free zone" with some 630 import/export firms. There exist 14 U.S. military bases, where are trained the personell that oppress and kill Indian Peoples all over––in Bolivia, in Peru, etc. There exist also banana–producing plantations of United Brand, where are exploited our brothers, the Indians and the poor peasants. There exist many natural resources such as copper, hydraulic energy, woods, gold and probably oil. Those riches are now bringing in the transnationals in the same way that they were brought in before by the financial center, by the canal, by the "free–zone" and by the Yankee army. In this context and within these interests is where we place our case.

In Panama, presently, there exist six Indian peoples: Cunas, Chocoes, Heriben, Buaymi, and Guaymi–– and together we make up 15% of the population of Panama. My nation, Guaymi, is located primarily in the Western region of the country––and we are about 75,000 people within a national context of 1,800,000 Panamanian. We live in spread–out family–based communities and we depend upon slash and burn agriculture for our subsistence. Also, we must sell our labor––mostly in the banana plantations of United Brand, in the cane fields and in the coffee and cattle farms. The lands which we enhabit are not, for the most part, good for farming. Ours is a rocky, mountain land. Because of our increasing population and our small land–base, soon we will not have enough territory for our people. The way of life of my people is very hard. For example, 20% of our population suffers from tuberculosis, 60% of our children are nalnourished; depending on what region the illiteracy rate (for Spanish) is 60–90%. As is the case in most countries of America, the Guaymi's are disregarded and discriminated for the fact of being Indians. We are deceived in the market place, exploited in the work place, and our culture is scoffed at. And my people is very poor in dollars, but very rich in culture. We have our own language and communicate through it. We have our customs and practice them; we have our land and love it–– not only because it nourishes us––but because it is the fountain of life and happiness.

From nine years ago, the life of our people became increasingly complicated. There are three reasons for this complication: land, copper and water.

Let me explain: before the Spaniards we were owners of our land, without complications. When they arrived, the displacement of our people began––a process which continues to this day and at an alarming rate. Up until 1850, we occupied almost half of the present Panamerican territory. Since then we have been constantly pushed by the white cattlemen to the mountains and the jungles, places where communication is extremely difficult. Since the beginning of this century, my people have fought consistently for a right that has been around for centuries–– the right to the necessary land for the growth of our nationa and our culture. Since 1934, due to our struggle, the Panamanian government started to recognize our historical right to land and legally set aside what it calls Indian reserves.

Thse Indian reserves, however, are not even half of the territory now occupied by our people–– and have nonetheless been constantly invaded by rich land–owners. In 1952, 1958, 1962––with the Agrarian Code and in 1972 with the new Panamanian Constitution laws were pronounced where at least on paper this right is reaffirmed.

The reality is that all these laws are being violated, disrespected and today, more than ever, the struggle for our territory is kept alive.

This struggle is a necessary one––for the land is our security. We have been persecuted, shot at, jailed and killed as a result. And yet we have organized and are struggling.

Now––copper.

The land upon which we, the Guaymi live, has today a great value to the whites. As one of our elders says: "In the past they chased us from the plains because they wanted that rich land and the gold. Then the gold ran out and now they realize we live in a mountain rich in red gold and now they want that too. Where are we going to go?"

He refers to a great copper deposit of 1,300 million metric tons, plus smaller deposits of gold; molybdeum and silver––in the heart of our territory.

In 1971, the company, CAnadia–Javelin, started the preparatory work for the exploitation of these deposits and began also the Calvario––a large highway causing very grave side effects––such as continuous rock slides, the destruction of gardens and fruit trees and damage to the water tables. And whites destroyed the quiet of our land with their heavy trucks, excavating equipment, their deciets and their taunts.

In 1976, the Panamanian government signed a mineral exploitation contract with the North American firm, Texas Gulf, where they were arbitrarily—without any consultation by the Guaymi people—a field of 2,000 hectares for mining and a 75,000 hectares zone to continue further exploration—all of it in Guaymi territory and affecting some 160 communities and about 16,000 people.

In 1980, a new contract was awarded by the Panamanian government—this time to the Rio Tinto Zinc Corporation, a British company, to continue the work which Texas Gulf had abandoned, the Panamanian overnment participating with 51% of the stock.

But to understand a little more the magnitude of this avalance that is falling on us, we should tell that the expense of the project is 2 billion dollars—of which 1,200 million will come as a loan from the Export Development Corporation of Canada—and another 300 million coming as loans from The World Bank and the Inter–American Development Bank.

180 million tons of copper are planned for extraction yearly. They will use whole rivers and water–sheds. The poisonous residuals they plan to dump nearby, as well as the airborne sulphuric gases, which are also poisonous. They will utilize high technology and thus there won't even be much opportunity for work for our people.

In short, they have made many promises with these mines, but what we can foresee is too calamitous for us to believe them.

Now, the water.

It has been said that water can be both a blessing and a damnation. In our case, it may well be damnation.

In the Guaymi region there are currently 11 hydroelectric damn projects in three rivers—projects designed to provide energy for the copper mines. these projects will cost 1,000 million dollars. Just one of them will use up 45,000 hectares—all in Guaymi territory.

And we Indians have had a bitter memory of dams.

In the region of Vallano, in the eastern part of the country, a dam was built 5 years ago. And this dam displaced from their lands several communities of our Cuna brothers. They were made promises too, and yet until today they suffer the consequences of their dis–ingenous belief in the promises of the Panamanian government. Most have not recieved lands; those that did were given marginal lands. The electricity goes to the city burguoise and for the Indians, once again, displacement.

In accordance to all of these matters, we thus make the following accusations:

1) We accuse the Panamanian government for denying, in practice, the historical right of our people to its land and its sovereignty

2) We accuse the Panamanian government for the constant lack of recognition of the will of the Guaymi people and its legitimate authorities

3) We accuse the Panamanian government and the transnationals: Canadian Javelin, Texas Gulf, and Rio Tinto Zinc Corporation for the irreparable damage to our farms, animals and water–sheds.

4) We accuse the Panamanian government and the transnationals previously mentioned for displacing us from large sections of our land, to which we have an absolute historical right

5) We accuse the Panamanian government and the transnationals previously mentioned for carrying out a campaign to undermine and manipulate the Guaymi people.

6) We accuse the Panamanian government of no–compliance with the Declaration of Human Rights, which guarantees against discrimination for reasons of race and where the right to private or collective property is also guaranteed. Also for not complying with the rights guaranteed by the National Constitution of Panama;

7) We accuse, finally, the Panamanian government—because in complicity with the above mentioned transnationals and the international lending institutions—Export Development Corporation, The World Bank and the Inter–American Development Bank—they are placing in emminent danger of destruction the survival of the Guaymi people as a nation—which is to say they are preparing to commit ethnocide and genocide in the name of development and progress.

Traditional Guaymi house.

III

It is late afternoon. The large hall is empty now, in recess, but for a few people coming together at one end. They are Indians--the various representatives. A few begin to move chairs around, forming a circle. More and more come in. Finally, there are about sixty.

It has grown to be the way among Indian delegations who venture into the international arena that they meet among themselves, talk to one another, exchange views and, in consensus, hammer out the objectives of the work which will spearhead the survival of the nations.

Clearly, the movement of indigenous peoples has made significant strides. Before the community of nations, slowly but firmly, it is beginning to establish a voice.

It is early in the week and the presentations are ongoing. Case by case, the testimonies reflect the same process. Greed, development, materialism, corruption, violence, the Western concept of "progress"--these are the mindsets that confront the Native Peoples, the indigenous ones in the Western Hemisphere: Indians.

At Geneva, the perimeters of struggle, the issues were established: Land, religion, culture, language, the perpetuation of each peoples' sense of itself, sovereign governments, the recognition as nations, the commonly shared perception of the human beings' interrelationship to all other forms of life. At Geneva, at earlier meetings, therse were the points of unity–the principles of the Movement.

Now, in Rotterdam, three years later, it is a time for individual cases, for particulars, and for the identification of the specific governments, the specific institutions which would oppress the nations–a tribunal. It is a time to educate ourselves about each others' problems,-because the Principles of Unity are constant, but the tactic, the strategies adopted by each nation are wedded to the concrete realities each faces.

Now in the large hall, the circle is full. Kishay, a Dine (Navajo) medicine mand is asked to say the opeing prayer. Everyone stands, there is silence, and it is proper.

Then, the South American brothers request that Phillip Deere chair the meeting. He agrees to o so.

There was an earlier meeting, the day before, where a problem of definition had arisen, a problem that has been a constant one for the native peoples in struggle. It was the one about other people attempting to define the parameters of the Indian Movement.

At the previous day's meeting, a man had intruded himself, a Bolivian national, non-indian and a self-proclaimed Marxist-Leninist. When the topic had arisen about the struggle for nationhood, this man had taken it upon himself to disrupt the meeting.

He stood. "Politics of liberation must base themselves on scientific socialism, on the material dialectic," he said. "Sentimentalism about the past and cultural superstitions obstruct revolution."

AKWESASNE NOTES PHOTO: BANNON

"You are a guest," he was told. "Don't interrupt while someone is speaking."

"I can not tolerate without protest a politics of racial overtones," he responded, raising his hand. And then he had a series of pamphlets in his hand. And then he started to speak rapidly.

An Aymara from Bolivia stood up. "He is a Bolivian," he said through the interpreter. "We go through this stupidity all the time."

Then, turning to the intruder: "My friend. I must ask you to be quiet or leave."

But the intruder was already into his speech. He had wire,rimmed glasses on and wore a short beard. It is hard to decipher exactly what he was saying, but his eyes seemed distant, looking over the heads in the circle, toward the direction of the empty podium.

"You have to go," the Aymara said, and his two brothers joined him around the intruder. The North-American delegations watched with interest. The man was ushered out. The Aymara brother had explained: "We, the Indian People of South America have a problem. It is this way, that some of the other liberation movements, and particularly the left, don't want to recognize us as Indians. So they act like this toward us. They don't want that we should exist as Indians, or that we should base our ideologies of liberation on our own culture, our values, our own history. They Christen us as peasants, or proletariat, and many other names. But this we don't accept. They call us pre,capitalists, as if that were an insult. They believe we were not capitalists because we were too savage, or too stupid to become capitalists. They refuse to understand that, for most of our nations and cultures,,that we would never have become capitalists. And don't intend to. Nor do we intend to become capitalists in order to "advance" to socialism. Or any such mistaken notion."

Much discussion was generated throughout the week by this incident of the Marxist,Leninist intruder. The overwhelming sentiment that we detected (and which we, of course, support) is that the Native Peoples in struggle seek recognition as nations, and that they consider the denial of this right the very essence of racism in the West. The ultimate arrogance of assuming that ideologies and methodologies of liberation can not arise out of the richness of Native Cultures, which are exceedingly and universally potent in humanitarian, non–materialistic ecological and spiritual concepts.

Here is what some delegates said:

Mapuche brother: "The problem is that the Western Mentality has penetrated us more deeply than we would accept, as our brother Phillip has said. I call upon some of the brothers who have left behind their traditions and their past, so that they will reflect and reconsider thoughts of their cultures and their grandparents. Because these religious ceremonies that we hold – both in the North and the South – are the most important factor and are our point of unity.

"Many brothers, because of the intrusion of Western Thought are these days caught up in repeating only what Europeans wrote in their books a century ago,,when they were incapable of knowing our Indian reality and the true thought of our peoples. Brothers: the motto of the West is to not let our Peoples think."

Guaymi Brother: "We want to make it clear that our case does not merely represent one threatened community but rather a whole people–the Guaymi Nation. OUr fight is not to gain political power within the Panamanian state–but to live our own lives."

Ojibway brother: "If we are, as Red Indians, going to become a part of the community of nations, we must build upon the treaties which recognized us as nations."

Quechua brother: "We identify ourselves as nations. Nations-from what is commonly called Peru, inside what is known as "Latin,America"–but a land which is properly Tewantinsuyo -our Mother Land."

Campa brother: "We have our own culture–it is strong yet. We have our language, and our people wish for their grandchildren. WE are not Peruvians, ther–we are Campa. Nothing can change that, unless we were to give up our parents· and I tell you, my brothers...we are not prepared to do that."

Seneca brother: "Our position is one which deeply threatens the settler regimes, the nation,states which now occupy our lands. Because their fictional, unnatural borders are born of empire and don't take into account the real boundaries of Natural World Peoples, tribal peoples. All over the world, it is the small nations,,our movement,-that will deliver the crippling blow to the imperialist,materialist mentality, to the industializing mentality, be it capitalist or socialist, trilateralist or World Federalist. We are small yet, but we are growing fast, our word is spreading and, in the long run , we represent millions and millions and millions."

"THE OVERWHELMING SENTIMENT WAS THAT THE NATIVE PEOPLES IN STRUGGLE SEEK RECOGNITION AS NATIONS', AND THAT THEY CONSIDER THE DENIAL OF THIS RIGHT THE VERY ESSENCE OF RACISM IN THE WEST...."

"...THE ULTIMATE ARROGANCE OF ASSUMING THAT IDEOLOGIES AND METHODOLOGIES OF LIBERATION CAN NOT ARISE OUT OF THE RICHNESS OF NATIVE CULTURES, WHICH ARE EXCEEDINGLY AND UNIVERSALLY POTENT IN HUMANITARIAN, NON–MATERIALISTIC, ECOLOGICAL CONCEPTS..."

Bolivian sister: "It is obvious, the basic issue is land–how to use it, how to live on it. Our peoples are united on that question."

Guatemalan sister: "Our true way is communal precapitalist. We orient ourselves to the family, not the quest for material wealth. We are different that way from the Ladino. But, at least for the moment, in our case, we must not ignore the other oppressed sectors that surround us, the other races. As much as they are used against us, don't forget that our own people are also used against us. OUr concepts, our struggles must spread to them–in unity, in respectable allaince, without jealousy, without any form of sectarianism."

Mapuche brother: "And let us not forget the Earth, and all the natural life. OUr animal brothers and the other life. Because if we don't speak for them–who will"

Aborigine brother from Australia: "We are brothers–all. We feel the natural feeling.We know. The ones that have forgotten, many of them, they want that feeling back.

'We are brothers–all. We suffer oppression. The ones who would oppress us, many of them understand justice. They understand. We must pull them in the workers, the students, the religious sectors, even the professionals."

Onondaga Chief: "I belive we are more and more clear. We are going to be understood. We are of one mind here."

Now, Phillip Deere stands, an elder. He is a quiet man, with watchfull, penetrating eyes, and a wry sense of humor. He is a traditional leader, a Muskogee-Creek, spiritual advisor to the international movement and as you watch him now, you are once again reminded of a certain quality, of that gracious formality that is the essence of the old traditional people. the ones that keep us on that path. that path which is neither right nor left but the rightfull path of human beings.

"There is always an understanding among traditional people," Phillip says. "That it is the prayers which hold the people together. So we sit in a circle, no one higher that the other, and it is proper that we begin with our own way of prayer. This is what helps us.

"I am a traditional Indian. I come here this way. I intend to leave here this way. My mind is set. No one, no government, no man-made law will ever alter that fact.

"It is my belief that when one steps out of his traditional way, on becomes confused. There are too many lies and it is difficult to pick out the truth. Then there is disagreements, the arguments seem to go on and on. But when we get back to what we are supposed to be, there are not so manny arguements. Because in our ceremonies, We have never see our older people arguing. For that reason, it is good to start our meetings withour own way, our prayer to the Creator.

"Now, whatever subject that we bring up for discussion–we should stick within that subject and not be wandering, getting confused. And we should continue on each subject until we are finished with it. Any questions, any discussions that is brought up then, should be related to that subject.

"Yesterday, we were on the subject of the South and the problems they face. If they wish, they should continue that discussion until they are satisfied that it has been understood."

IV

There was a press office, many desks and a wall of pigeon-holes for messages and press releases. The typewriters were clicking and several languages being spoken at one.

"This is unique material," a German reporter was saying. "Never did I expect to find so much when I decided to come."

He was speaking to one Begian and one Dutch journalist.

"What I find fascinating," the Belgian said, "is how all these different tribal peoples think more or less alike, and too, how our civilization is running over them. Our use of energy, our crazy economies – this whole story illustrates it so well.

The concept of the Earth. As they say, the Mother. It's so obvious. It's so beautiful..." the Dutch one said, his hands gesturing, expanding... "It's so profound,and also, so simple..."

The German winked: "Why didn't we think of it, eh?"

"Right!" the Dutchman said...then they paused. Something clicked among them. The Belgian laughed, ironically. They all laughed. At themselves.

There was a lot of press at the Russell Tribunal, and there was a substantial ammount of European coverage. Surprisingly, most of it was serious and good, as if a very fundamental wall had begun to crack. One thing: it is unlikely that after Rotterdam the educated European press will ever ask the question again: "Are Indian peoples oppressed?"

It is quite possible now even to concieve that in the next several years the Native Peoples' Movement may become entrenched as a continous topic of coverage for the large media channels. This will mean that an increasing

number of people throughout the world will hear of our concerns and our world–view. Other tribal nations will step forward – in Asia, in Africa, even in Europe – an expanded, more powerful movement.

And yet, there are problems. And they should be discussed truthfully.One large problem is the one of representation – who speaks for whom? What constitutes a spokesman or spokeswoman?

Many people travel, many Native Peoples. Most of them know who they are and act accordingly. Some do not. At Rotterdam, as was the case in Geneva, and often in New York and other non–Indian areas of America, there were some who did not.

Lack of discipline reared its ugly head. A couple of delegates who should have been exemplary, because the people were depending on them, lost their good minds to alcohol.

That was one problem. It was shameful. And should not – must not – happen at that level.

There was a second problem, just as pervasive.

At Rotterdam, a certain young woman (some claim she is Lebanese she claims to be Lakota) was present. No one has ever seen her except in Europe, wearing beads and feathers, long dark braids and somehow adept at seating herself inside of any meeting of her choosing. She is not unique. It happens wherever Indian People gather that people without specific purpose slip in, listen, involve themselves and, really, represent nobody. Lakotas present at one such meeting decided to challenge this young woman. They did so respectfully, but firmly. To their queries as to her family, organization or background, they got enraged insults and even threats. The elders then decided to ask her to remove herself from the meeting.

It was a tense moment, and a necessary one2and one that hopefully, in a proper manner,willl occurr more along the road. It is time to look seriously upon this problem,,time for the support groups around the world to be more careful, to be serious in checking into who people are and in using their resources to help only integral and disciplined representatives of true movement, of communities in struggle. It is time to show credentials, and past the time when individuals could sell their religions cheap and get away with it, when so–called spiritual leaders could show up drunk pretend to represent peoples, when media-created stars could walk upon the backs of the People for their own benefit and not be identified. Because it is a reality that the Native Movement is still one riddled with romanticism.

The eyes of the world are beginning to look upon us, finally. Some of our nations are negotiating, meeting, with western nations, as representative governments. It is an important time. If we deserve to survive, integrity, truth and vigilance must dominate our beings.

We may be small yet, our resources scarce, the oppression often overwhelming ,but as amazing as it may seem, we are gaining momentum, in unity, in strength.

Three years ago, in Geneva, the fact that Indians from Brazil are not allowed to travel outside of that country (they are considered "minors") appeared an insurmountable fact. In 1980, at Rotterdam, a Xavante Chief, Mario Juruna, from inside Brazil, was chosen as jury president. Brazilian authorities denied him permission to leave that country and for a few days his seat was empty, a blatant but seemingly impotent testimonial to the racism facing us. But international pressure mounted. OUr networks activated. OUr friends and supporters generated by several years of international work raised a concerted outcry. And before international public pressure,,much of it from inside the world organizations, Brazil caved in.

It was our priviledge to have it happen within the presentation of the Haudeenosaunee Delegation that word was recieved. A telegram: JURUNA HAS WON THE RIGHT TO TRAVEL ON HIS OWN RECOGNIZANCE'.

And a victory,.small but significant,,had been achieved.

"The wind from the South has blown," as Phillip Deere said, in his closing speech, "and it has made music through the reeds and bamboos of Brazil."

---Ismaelillo

Daniel Chaveque, Campa:

The territories of the Peruvian Amazon native peoples include some 1,390,000 hectareas, the homeland of nearly 250,000 tribal people.

The case of the Campa Nation in the Peruvian Amazon is reflective of what is occurring to all other jungle people in the Peruvian, Venezuelan and Brazilian Amazonian territories.

Corporations––including agribusiness concerns, lumber and mining companies and projects to develop hydro–electric dams––in complicity with high officials of the Peruvian government are engineering ways of displacing the Campa people and of stealing their lands.

A process under Peruvian law which was in motion to grant the Campa communities legal title to their lands has been all but stopped due to the "development" efforts of these various corporations––several of which are requesting over a million hectareas of Campa land for themselves. Eight highway projects are presently under way, construction for a hydro–electric dam and the influx of Peruvian nationals (colonists organized under agricultural cooperatives) into the Campa communities are creating a highly volatile conflict situations.

Several Campa delegates were on hand at Rotterdam to give testimony on their case. The following are remarks from Daniel Chaveque, a Campa leader.

"I am a Campa Indian who has been able to contemplate for several years the problems found by my community.

"Regardless of the work on the land titles and of the promises of the government, the colonists have come into our lands. They assaulted all our communities, without respect for anyone.

At that time, we went to all sorts of officials, to all sorts of places to seek justice. None of them could help us.

Then, we went to the Capital, even to Lima, to talk to the minister who was to grant usour land titles. They promised us, in many words, things which were to be favorable for our communities.

So we return to our people and made those reports; but now we can say that those promises never arrived. The invasions continue, more and more every day.

Now, sometimes we confront them, when we can. Again we try to go to the authorities, seeking justice. Nothing.

We go to Lima again––a delegation, to see the Minister of Agriculture. They promise–– this time that a commission will come to study our situation; and that we could expect a resolution inside of 45 days. We waited.

Forty–five days later––same thing. Nothing. To this day, today, nothing.

For that reason, as well as we can, we have arrived in this country, this Tribunal, far away from our land, because of the invasions, because that government there won't give us justice. And all we want is our titles, to our own land––to remain peaceful, happy, for our children, for our grandchildren––for them it is we seek our land titles.

In all our affected communities, the colonists have tried to come in. There have been terrible threats, with guns, without any respect. Even with dynamite. In this way, they have terrorized our comuneros while they are in the fields, working.

One time, we were working, and they came over, pushing us, saying that we should leave, that we don't belong to their cooperative, that the government doesn't want us.

So they start to threaten us, grabing for their revolvers. Pointing at our brothers.

So, we started to talk to them, that they should leave that we don't want trouble.

So then we continue our work.

The next day, the comuneros were not happy, because the colonists had shown that weapon. We didn't like that, it is not a good thing for human beings, they should not have done that. We didn't like that, we were not happy.

Then, at one of the villages, the colonists showed up again, with their revolvers. So the comuneros took up sticks and began to beat them and the colonists pulled their guns and started to fire. But none of ours were hurt, they only hit the air, and so we overcame them and took their guns.

Our gardens, which we plant, the colonists, they come and dig up, as if it belonged,to them, with no respect.

My arrival in this country has not been easy. In fact, it has been quite difficult and because of that I feel proud and I am happy to talk about my people's problem.

I want to thank those brothers; especially, who not being native brothers, have come to help us, sometimes to learn from us, sometimes to teach us.

Indian brothers––from North America, from South America––we have to know each other more, we have to unite ourselves more, because the profiteers want to destroy our culture, want to deny our rights.

I leave you with our motto: The Campas united will never be defeated. It is better to die on our feet than to live on our knees!

Land, or death––we will win! "

A meeting at a Campa village on the River Ene, in the Peruvian Amazon--July, 1980.

Declaration Of Indigenous Peoples

The Fourth Russell Tribunal held in Rotterdam in 1980, arose in response to a need expressed at the International Conference Against the Discrimination of Indigenous Peoples of the Western Hemisphere held in Geneva, Switzerland in 1977. The Geneva Converence demonstrated that certain Nation–States of the Western Hemisphere practice gross violations of the rights of Indigenous Peoples. The Indigenous Peoples reprsented at the conference recommended that a Tribunal be formed in order that cases may be presented and witnesses heard to inform the world of the nature and effect of those abuses.

We have witnessed the accusations brought before the Fourth Russell Tribunal. We have heard our Brothers and Sisters speak of mass executions, kidnappings, tortures, rapes and assasinations committed and permitted by the governments of Nation–States with political acts of terrorism and oppression directed against Indigenous Peoples, organizations and Nations. We believe that the charges brought before the Tribunal provide the most eloquent testimony that Nation–States have national policies of ethnocide and genocide of Indigenous Peoples and that such policies are unacceptable to the conscience of humanity. We condemn genocide and ethnocide in all its forms.

The Indigenous Peoples suffer the most outrageous abuses of their rights. Nations–States have adopted national policies designed to deny peoples their right to exist as distinct peoples of the world, including the right to practice their culture, to speak their language, to the peaceful possession of their national territory and their right to a national identity. In almost every case Indigenous Peoples suffer from the unlawful taking of their lands through national policies which are designed to deny Indigenous Peoples ~~of~~ their right to their lands.

The municipal laws of many Nation–States do not provide justice to the Indigenous Peoples.

The accusations and the testimonies of the Indigenous Peoples at this Tribunal have affirmed that Nation–States are not the sole instruments of dispossession and genocide. Certain religious organizations, especially missions of Christian denominations, act in partnership with governments in policies intended to dispossess peoples and to destroy their languages and other elements of culture. There has been conclusive demonstrations that the economic interests of ruling classes of the Nation–States as well as the economic interests of the ruling classes of industrialized countries, as represented by the activities of transnational corporations, have been instrumental in dispossessing peoples of their lands and freedom. Because of the power of these economic interests in influencing and determining national policies, whole peoples have been forced into economic slavery on the plantations, in the mines, and in the factories of the oppressors. People are being driven from their homelands and forced to live in poverty and despair on the margins of their rightful territories, as exiles in their own land. Those of our people who express opposition to the policies which create these horrifying conditions are subjected to the brutal repression, persecution and discriminations which are the tools by which the people are denied their rights to exist as distinct peoples of the world.

We, the Indigenous Peoples gathered here at this Fourth Russell Tribunal call upon the people of the world to take action to right these horrible wrongs. We reaffirm our support of the principles set forth in the Declaration of the Rights of the Indigenous Peoples of the Western Hemisphere adopted by the Geneva Conference of 1977 and we call upon the People of the world to work for the rights of Indigenous Peoples to exist as distinct peoples of the world and to condemn genocide and ethnocide.

We support the principle that Indigenous Peoples have the right to exist as distinct peoples of the world, and that they have a right to possession of their territories and the right to sovereign self–determination. We call upon the people of the world to join us in asserting that the genocide and dispossesion of Indigenous Peoples is a matter of rightful concern to the world community, as are matters involving a consistent pattern of gross violation of the rights of Indigenous Peoples and Nations under principles established by International Law, and that action must be taken by world organizations and specifically the United Nations.

Finally, we call upon people of conscience to join us in our call for recognition of Indigenous Peoples and Nations as full members of the world community of nations and peoples with a right to representation and membership in world organizations and especially the United Nations.

We, the Indigenous representatives at the Fourth International Russell Tribunal, 1980 resolve with respect to the following:

1.) GENOCIDE

That the Tribunal denounce the physical extermination which is instrumental through the repression of Indigenous leaders, many of whom have been assassinated, tortured, persecuted, kidnapped and exiled.

2.) ETHNOCIDE

That the Tribunal denounce the campaign of destruction directed against the Indigenous Nations through the denial of their culture, languages and traditions, this being the instrument used by the Western colonialists for the ruling classes of whom they are intermediaries.

3.) TRANSNATIONAL CORPORATIONS

That the Tribunal denounce the transnational corporations which wxploit our resources (minerals, petroleum, forests, etc.), destroying at the same time the ecology of our territories, and for which they count with the complicity of governments and their instruments of repression.

4.) EMIGRATION OF WHITE RACISTS

That the Tribunal denounce the South American governments which would attempt to relocate racist Rhodesians to regions of majority indigenous populations, as in the case of Bolivia, with the express purpose of strengththening western domination.

5.)STERILIZATION

That the Tribunal denounce the sterilization campaigns, direct and indirect, against the Indigenous populations, with the purpose of impeding the population growth of Indigenous Nations, heightening their potential for struggle and thus threatening the western societies' economic and political interests.

6.) MISSIONARIES

/ Because Indigenous peoples have their own traditional religions and because those religions are consistently under attack by western religions, that the Tribunal in the future look closely at programs conducted by missionary groups belonging to the Roman Catholic Church, Protestant and Evangelical denominations because of their obvious complicity in the genocidal processes carried out against Indigenous Peoples. This would not indict those missionaries who have committed themselves to helping our peoples. In particular we would ask the Tribunal to immediately condemn, and in the future, completely investigate the activities of that great common danger, The Summer Institute of Linguistics.

7.)DEFINITIONS AND BOUNDARIES

We dondemn all Nation–States, such as Canada, that have divided our various peoples by legislative definitions, different modes of land settlements and imposed boundaries in continuing violation of Articles 10 and 12 of the "Declaration of Principles for the Defense of the Indigenous Nations and Peoples of the Western Hemisphere," Geneva Conference, 1977.

8.) SUPPORT ORGANIZATIONS

Before the tragedy of genocide and ethnocide on the part of the dominant societies and governments, we value the solidarity of those organisms, Nation–States and institutions that identify with our cause, but at the same time we reject those organizations which, under the

pretext of defending the rights of Indigenous Peoples, foment division by supporting groups and orgnizations driven by political interest not based on our own history.

9.) DECLARATION

That the Fourth International Russell Tribunal adopt the 1977 "Declaration of Principles for the Defense of the Indigenous Nations and Peoples of the Western Hemisphere" and the present "Declaration of the Indigenous Peoples at the Fourth International Russell Tribunal", 1980.

10.) 1948 CONVENTION

That the Fourth Russell Tribunal take into consideration the 1948 Convention On The Prevention and Punishment of the Crime of Genocide in relation to the violations against our peoples and Nations.

11.) PROTECTION OF OUR RELATIVES

That the Tribunal condemn activities and enterprises that are destructive of our relatives, the four–legged of the land, the winged–ones of the air, the occupants of the waters and the creatures of the seas, including all other life forms necessary to their survival and a clean, healthy and renewable environment within which they may flourish.

12.) BOLIVIA

That the Fourth Russell Tribunal condemn the military dictatorship of General Garcia Ortega Tajado and his Minister of the Interior, General Luis Arce Gomez, as responsible for the massacre carried out against the Indian miners, campesino communities and the marginal areas of the cities. Many of their representatives have been assassinated, imprisoned in concentration camps, kidnapped, persecuted and exiled.

13.) GUATEMALA

That the Fourth Russell Tribunal condemn the government of General Lucas Garcia de Guatemela for the continual massacre and ethnocide of Indigenous Peoples there, a majority population. Also that the Tribunal should request the immediate withdrawal of the military troops which presently occupy vast areas of the country.

14.) EL SALVADOR

That the Fourth Russell Tribunal condemn and repudiate the military Junta of El Salvador, for its obvious involvement in the numerous massacres of Indigenous Peoples in that country – a tactic utilized to maintain the privilege of a minority which despoils the country and oppresses the population.

15.) CHILE

That the Russell Tribunal repudiate the Military Junta of Chile for its continuous violation of the rights of the Mapuche Nation, and the repression of its leadership since the military coup of 1973. Also, the ethnocide Law 2568/78 which divides the Mapuche communities into small parcels of land, therefore destroying the Indigenous concept of Life.

16.) SUGGESTIONS FOR FUTURE WORK

We propose that a mechanism should be installed so the Tribunal and its results should be continuous. Permanent observations of, continual media dissemination as well as continuous challenges to the accused dominant governments, institutions and individuals must be guaranteed. Therefore we encourage our European friends to maintain their committment in the future.

These proposed follow–up activities should guarantee the continued monitoring of these volatile situations and should point the way to appropriate measures on the part of the European Support Committee.

The Indigenous delegates recommend that such a work be placed under the authority of an Indigenous National Government, namely the Council of Chiefs of the League of the Haudenosaunee, in consultation with the International Indian Treaty Council, the South American Indian Council, and other authentic Indigenous bodies.

Phillip Deere:

At this time I will bring a short message coming from my ancient ancestors that has never been mentioned because the message had remained with the traditional Indian people.

The prophecies of my people has to come about. This is what we have witnessed. Many of the traditional people here understand this. That the Russell Tribunal here is a part of the prophecies within my own people it was said that this could come about within these prophecies. It is hard to translate into the borrowed language, however, I would like to bring this to your attention that we too had prophets who told my people that there is a white room leaning up against the western skies. This will sweep across our country: and for the north the white bear would come to us. From the east we will see a man in a red coat that will come to us. From the south, there will be a feeling of warm air and we will hear the winds coming through the forest blowing against the reeds and bamboos. We'll be able to hear music in this wind. It is to be remembered that when these prophecies begin to fulfill, that the Indian people will go somewhere known to us, as King of Kings, leaders of leaders will assemble. The Indian people will sit somewhere as if though they are criminals. Around this time when these prophecies are beginning to happen among the Indian Nations, there will be found a boy perhaps an orphan boy with raggedy clothes. Around his neck will be the identity of the Indian people––on his chest the identity of the Indian people will be there. The young boy will have eyes of an eagle. The eagle that can see direct into the sun. With the clear eyes he will lead the people.

Beyond the black smokes he will be able to see––beyond the sun. He will be able to see and those that follow will find life there. This is the prophecies of our ancient ancestors Here, in the Russell Tribunal we find many nations of people. It is now time that we search out who this leader is. That as Native people we must have a clear understanding of these prophecies. That our eyes be not glazed to the spiritual leaders and medicine people. These they have preserved in their minds from one generation to the other.

There are instructions that you fix your feathers. The birds of the night who does not sleep at night––certain people must pick up these feathers that he will be able to sit–up all night and to overcome. I thought of this last night when the jury sat––working continuously until 6:00 this morning. It is the fulfillment of these prophecies that their eyes must be strong at certain times. Therefore, I sat with them till this morning. This is no accident, no coincidence that we are here. The people of the red clay of Americas will always continue to go on. The religion, the prophecies, no government will ever stop it––no human being can prevent it that these prophecies will come about. And in time to come we will see from the Russell Tribunal, and on time will tell us that these prophecies will be fulfilled. The spiritual connections that we have with our brothers from the south is also connected with the countries throughout the whole universe. And at this time, conclusion of these Russell Tribunal, we felt that warm air, we felt that wind from the south, perhaps all over the world we have felt that warm air. During this time, it is now time that we hear the winds blowing through the forest of Brazil, it is time that we hear the winds blowing against the reeds and bamboos, that is music, that has a sound that has a rhythm that has been handed down for thousands and thousands of years. We are people that are made and placed here for a purpose. Through many struggles, through many years of struggle and sufferings we refuse to die––Thank you.

A Message For The Work Ahead

JOHN MOHAWK, CLOSING SPEECH

I think we're gathered here today, that we're witnesses to that which must become a significant and an historical event. The process, the big process, which we've heard described has it's origins at the beginning of the modern world. When the first Europeans contacted the Americas, they were confused about where they had landed and about the peoples they had encountered.

They were confused even whether the Native Peoples who they met were actually to be considered human beings at all. Spanish conquistadores offered up a position, offering to the world that the Native Peoples were somehow a sub–human race. Somehow related to Aristotle's theory of the universe, which could be interpreted as explaining that there were animals and there was civilized man; there were gradiations of man, culminating in animals. And in that terminology, that understanding of the world, that Aristolian thought, came the roots of modern racism, wherein European peoples determined first that Native People of the Western Hemisphere were not fully human beings and second they determined that they were not to be treated as equal counterparts; they they could not own land; that they could not form governments that they could not possess religion and that they were incapable of coming to the civilized arts.

The beginnings of oppression in the modern world began in the Americas. Racism began in the Americas, it defines the period we know as the modern world. Nearly 500 years have passed since Columbus first noted in his notebook that these people whom he had encountered might make good slaves. Nearly five centuries have passed; and the original thoughts of Columbus about the possible utilization of Native Peoples has little changed in the legal system of the world.

Columbus did not recognize the legal existence of Native Nations, and peoples of the world do not recognize the existence of Native Nations. We are here today – we are witnessing a step which is leaning toward the process which will bring a fundamental change in that relationship between European peoples and Nations, and Native peoples and Nations of the world. It is a fundamental step because European peoples did not steal the lands of individuals––European conquistadores destroyed NATIONS. European invaders did not destroy the civil rights of personalities, they destroyed enmass the whole rights of peoples to exist as peoples. And that is the fundamental wrong which we must move to correct.

We are entering into the 21st Century and the 21st Century is certain to be a period of time which will be different from which preceeded it. In the five previous centuries there was room enough for expansion of economics which brought to the world of Western Europe great material advantages. There was material enough––raw materials, enough to sustain a world–wide economy of colonialism and extraction. And we have seen the results of those policies of colonialism and extracted economy. They must have hand–maidens with names like Genocide and Ethnocide. And the process of genocide and ethnocide are processes directed at whole peoples.

Now we enter the 21st Century. It is a time for a new era. It is a time of the end of the process of gross extractions of materials from what you call the Third World countries because we are at a period of crisis in which the amount of materials necessary to sustain the world's economies is not available at the present rates of consumption. We enter a Century in which one of the probable results will be mass starvation of peoples, mass relocation of people, certainly the darkest future century to have occurred of the last five. We can enter that century as opposing groups, one exploiter, the other the exploited. We can approach it as peoples scrambling for the last vestiges of the energy resources that built a former empire. We can approach it as antagonists scrambling for crumbs on the world's table, or we can begin to set the foundation that would create a world unity of human objectives.

The beginning of the concept of the unification of peoples, the idea that the world could be somehow governed by one world moral order, that the world could somehow find ways in which cultures of people can assist one another––that begins with the visions that the International laws of the world will protect all peoples of the world as one.

We can enter the next Century in a cooperative way. It is possible. We can meet the needs of humanity by sharing the wisdom of one another's culture and we can do it by recognizing the dignity of Nationhood of peoples of the world who possess the knowledges who would make that a possibility. It can be that way! We can't do it scolding Nation–States about their inability to maintain proper civil rights within their boundaries; we can't do it by standing idly by and watching countries destroy whole nations of people within their boundaries, and saying that's simply the cultural affairs of that country. The destruction of a people of the world is the concern of all the peoples of the world.

AKWESASNE NOTES PHOTO: GIANFRANCO GORGONI

We can bring a new international order. A real order. Not quietness and subservience to force, but the possibility of freedom based on international law protecting everyone's rights. We can bring that kind of order, but we can only bring it if we call the peoples of the world to unite to reject the oppressors, the genocidal perpetrators, the ethnocidal perpetrators. We can do it only when world consciousness can come to bare the crimes against humanity that take place, and right now

those crimes take place in the Western Hemisphere, in the Nations of Latin America, in the Nations of North America, where peoples are being subjected to the machine gun, and not to the moral code of the world.

I offer this to you in conclusion, that the strategy that we adopt call upon the Nations of the world––all the world's Nations––and the peoples of the world to take action. We do not call upon them to feel bad that the Indian is disappearing. We don't call upon them to wish that something could be done. We don't call upon the peoples of the world to stand by and watch as spectators. We call upon the people of the world to begin to unite and the place where they need to begin to unite is in those world organizations where the rights of indigenous people can become entrenched in a whole new body of international law. We call upon them for that action, we need to have you call upon them for that action, we need there to be a voice to rise up in Western Europe as there needs to be a voice rising up all over the world. We call upon you to help us to entrench the principles that must be entrenched in order that we can begin to try to build the kinds of codes of behaviour which will actually at some day in the future, and begin to guarantee the rights of people throughout the world. That's the goal that we have, that's the only goal that really makes any sense to us. We call upon you to help us, to support us, to move with us and to understand what it is that our objectives are. And for that and for this gathering for the convention of the Tribunal, for the work of everybody, and the goodwill of everybody, for all of that on behalf of all the peoples who came here – for this Tribunal, I thank you.

SHORT NOTES

SACRED JEMEZ MOUNTAINS "PERFECT SITE" FOR GEOTHERMAL POWER PLANT

Union Oil Co. and Public Service Co. of New Mexico have contracted to build the $125 million demonstration geothermal plant in the Baca region on land Union leases from a private owner. The Department of Energy is considering giving $50 million to the project, but first must decide whether Indians take precedence because of their religious use of the mountains. All 19 Pueblo groups, primarily Santa Clara, Jemez, Santa Ana, Cochiti, Zia and San Ildelfonso, use the area "to practice sacred Indian religious life." The birds, trees and streams in that mountain valley are sacred to the Pueblo Indians. They are hoping the American Indian Religious Freedom Act of 1978 will help them stop the geothermal plant.

THINKING WHITE

Well–known native Indian activist Harold Cardinal was paid over $92,000 for the year ending last March for managing the northern Alberta Den Tha' band, $77,300 of it as personal income and the rest as expenses.

The average income of the families in the communities whose affairs he managed is $1,500 a year and the chief of the band earns $10,000. Mr. Cardinal says he earned what the federal Department of Indian Affairs and the band agreed to pay, no more, no less. He claims the news was leaked by civil servants as "character assassination" because they disagreed with an agreement he worked out for the band and signed by Indian Affairs Minister John Munro.

His native brothers shouldn't complain. They should thank him for setting a precedent for them all to follow. UNLESS, OF COURSE, THEY PREFER THEIR OWN WAYS' (From the Province, Vancouver, B.C.).

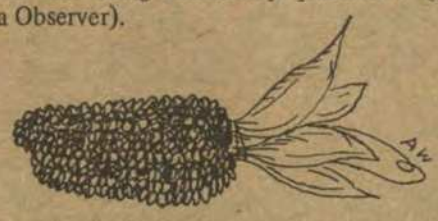
ORME DAM WILL FORCE RELOCATION FORT MCDOWELL INDIAN COMMUNITY

An amendment introduced Sept., 4 by Sen. Dennis DeConcini (D. Ariz.) has been signed by President Carter. This go ahead on the planning stages for Orme Dam will result in 17,000 of the Indian community's 24,000 acres being underwater. Orme Dam is part of the Central Arizona project and is intended for flood control for Phoenix, Arizona. The Fort McDowell Reservation is 30 miles northeast of Phoenix, a city which already has six existing dams upstream on land taken from the same tribe.

Environmentalists opposing the dam claim it would wipe out significant wildlife habitats. The Indian community wonders what will the nations of the world say when they see that the U.S. is still taking land from the Indians and still moving them around like cattle.

MOHAWK NATION – STUDY ON FLUORIDE POLLUTION GETS GO–AHEAD

The Canadian Health and Welfare Minister has authorized the go–ahead of a $1.6 million fluoride study under the supervision of Dr. Irving Selikoff. The fluoride study seeks to discover the effects of fluoride emissions from the Reynolds Metals and Alcoa plants on the Mohawk residents. Harry R. Sachse, an attorney for the St. Regis Band Council in their $50 million dollar law suit against Reynolds and Alcoa said, "the damages have been substantial to the economy of the band as a whole, and to the health of the band. They once had a clean and beautiful place, and now they have a place where cattle die, trees die, and where the children going to school are being constantly polluted." (from the Massena Observer).



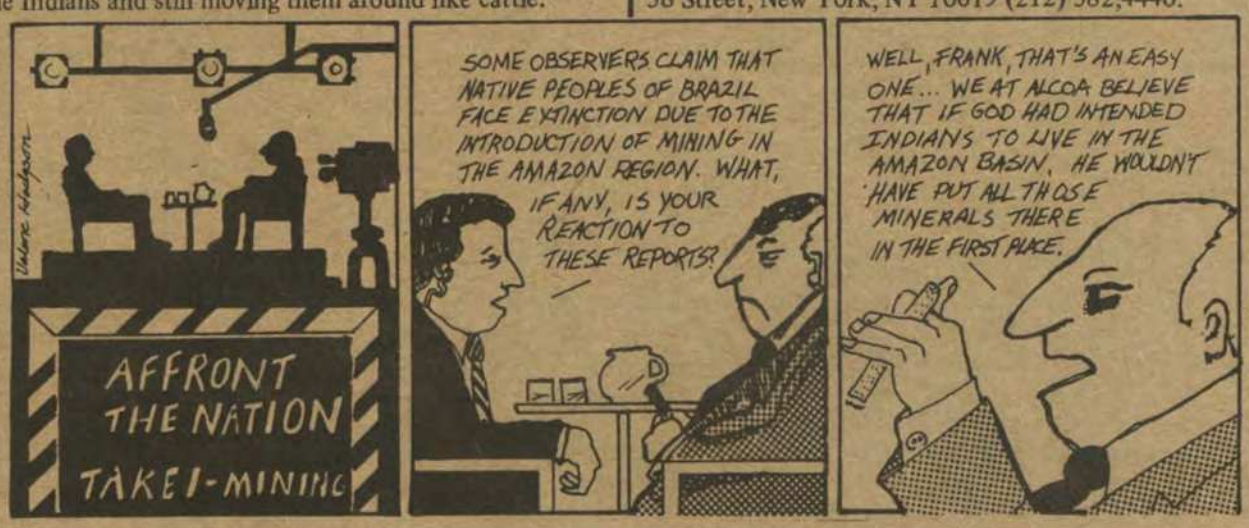
CHINESE PROFESSOR STUDIES EFFECT MODERNIZATION HAS ON INDIANS

Dr. Chen Yong,ling is studying the effects of modernization on Canadian Indians, he has visited Saskatchewan, LaRonge, Prince Albert and Saskatoon to interview and discuss Native problems. He is also informing people that China has more nationalities than the Han nation – to which the majority of China's citizens belong. "Like Canada, China is a country of many nationalities" he said. (from the Prairie Messenger).

POLITICAL DEATH TOLL HIGHLIGHTED BY AMNESTY INTERNATIONAL ANNUAL REPORT

People were murdered by government forces or executed for political reasons in more than 30 countries in the 12 months reviewed by Amnesty International's annual report, published Dec. 9, 1980. The 408 page report documents the extent of detention without trial, torture and other forms of repression. The report offers a wide–ranging account of challenges to human rights with entries on 110 nations. The victims included peasant families in El Salvador and Guatemala members of political, religious and ethnic groups in Iraq, Iran and Ethiopia and people in all walks of life as far apart as Afghanistan, Chile and the Philippines. It describes the use of restrictive laws, labor camps and psychiatric abuse to punish dissenters in the Soviet Union. It calls attention to police brutality to members of ethnic minorities in the United States, sometimes resulting in deaths.

In a preface to the report, Jose Zalaquett, Chairperson of the organization's International Executtive Committee, says: "The death toll from executions and political murders recorded in these pages is a matter of the gravest and most urgent concern." For further information contact: Amnesty International, 304 West 58 Street, New York, NY 10019 (212) 582,4440.


AFFRONT THE NATION
TAKE I - MINING
SOME OBSERVERS CLAIM THAT NATIVE PEOPLES OF BRAZIL FACE EXTINCTION DUE TO THE INTRODUCTION OF MINING IN THE AMAZON REGION. WHAT, IF ANY, IS YOUR REACTION TO THESE REPORTS?
WELL, FRANK, THAT'S AN EASY ONE... WE AT ALCOA BELIEVE THAT IF GOD HAD INTENDED INDIANS TO LIVE IN THE AMAZON BASIN, HE WOULDN'T HAVE PUT ALL THOSE MINERALS THERE IN THE FIRST PLACE.

"RIDIN' THE GRAVY TRAIN" – WINNEBAGO INDIAN NEWS

By Reuben A. Snake, Jr.

"Ridin' the Gravy Train" is an old cliche meaning working at a soft job with good pay. Many people in the Tribal Organization seem to have that feeling about their jobs.

These people are those who drink to excess and don't show up at least one day a week for work. When they show up they punch–in and disappear. They have at least twenty sick leave (days) and annual leave slips in their personal file for the past six month periods.

They take advantage of every opportunity for "travel" to whatever conference or convention they can legitimately find a reason to attend. They draw mileage for every 10th of a mile they can document.

They take "comp time" for every after hours meeting they attend, even if it's only a half–hour and they didn't make any significant contributions.

These "Gravy Train Riders" are going to get derailed because our tribal organization is going places and we don't want any more "Free Loaders." WE CAN'T AFFORD THEM! (From Winnebago Indian News, Nov. 1980).

WOUNDED KNEE VETERAN KILLED

Milo Goings an Oglala warior and a veteran of the 71–day siege at Wounded Knee was stabbed to death on December 25, 1980. The circumstances of his death appears suspicious to friends and relatives. Appeals for public presure to the State Attorney of South Dakota to press for an investigation are being made. For more information contact the Black Hills Alliance, 605/342–5127.

HOH INDIAN TRIBE HURT BY MISMANAGEMENT

The Hoh Indian Tribe, located on the Washington coast near the town of Forks, is considering a suit against U.S. Department of Commerce Secretary Philip Klutznick for mismanagement of the ocean fishery. Members of the Hoh Fish Committee, who establish fishery management policies for the Tribe, blame federal and state management of Pacific Ocean troll and sport fisheries for the poor returns of salmon to their river.

The Tribe has only had 24 days of salmon fishing in 1980. Due to recommendations made by the Pacific Fishery Management Council to Commerce Secretary Klutznick, the Tribe believes ocean quotas were set too high, resulting in too few fish returning to provide a fishery or meet spawning escapements.

"Ocean fisheries are being managed at harvest rates that are high even for the abundant hatchery stocks," said Rich Mattson, Hoh Fisheries Program Director. "The Tribes wants to see stricter regulations in the ocean."

Miscalculations of harvestable fish by the Washington Department of Fisheries further cut into the Tribe's fishing time, according to Tribal Chairwoman Mary Leitka. The fall coho run had been estimated at 9,660, well above the spawning escapement goal, but in-season adjustment has placed the run at 2,900, "which doesn't even meet the escapement requirement," said Leitka.

Alvin Penn, chairman of the Tribe's fish committee, stressed that the Hoh Tribe is willing to work with the state on data collection, and hopes to meet soon with federal and state representatives to seek some source of limited subsistence fishing this year, and to discuss long–range means of augumenting wild fish runs on the Hoh River. For futher information contact: Hoh Indian Tribe, Star Route 1, Box 917, Forks, WA 98331 (206) 374–6582.

Leonard Peltier:The Full Story (SO FAR...)

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By Rex Weyler

Leonard Peltier claims to have killed no one, and to have broken no laws, yet he spends 23½ hours a day in the "Control Unit" of Marion Federal Penitentiary, the darkest hole in America. Outside the prison gates, spiritual elders of the Lakota (Sioux) Nation hold sacred ceremonies and pray on Peltier's behalf they claim that he is not just a prisoner, not even just a political prisoner, but a spiritual freedom fighter, targeted, hunted down, and fettered by a desperate government in search of ever more land and resources with which to fuel an untenable attempt to dominate nature.

Peltier's story is not a simple one to untangle, with unexplained deaths at every turn, disappearing witnesses, faceless names and nameless faces of earthly power, in contrast with the traditions of a spiritual lineage whose source disappears into time and mystery. The story is swollen with sadness, but there is some measure of strength and hope here, because the issues are nothing less than our survival on–and our sacred connection to–the earth.

PELTIER'S STORY IS NOT A SIMPLE ONE TO UNTANGLE; WITH UNEXPLAINED DEATHS AT EVERY TURN, DISAPPEARING WITNESSES, FACELESS NAMES AND NAMELESS FACES OF EARTHLY POWER, IN CONTRAST WITH THE TRADITIONS OF A SPIRITUAL LINEAGE WHOSE SOURCE DISAPPEARS INTO TIME AND MYSTERY. THE STORY IS SWOLLEN WITH SADNESS; BUT THERE IS SOME MEASURE OF STRENGTH AND HOPE HERE, BECAUSE THE ISSUES ARE NOTHING LESS THAN OUR SURVIVAL ON–AND OUR SACRED CONNECTION TO–THE EARTH.....

The Coming of the Wasichu

We were on pretty good terms with the Great Spirit.
–Tatanga Mani, Stoney Indian

Some background is essential to the understanding of why Leonard Peltier sleeps on a metal slab. When Columbus "discovered" America, there existed in the Western Hemisphere a civilization substantively different in character and design from the European variety. The people called themselves "The People." The land they called "Turtle Island," and it was held sacred. The People did not "own" the land; rather they believed that they had been given it by the Great Mystery to live on.

In the Great Plains, where Leonard Peltier's story unfolds, the bands of the Lakota Nation would gather each summer for the sacred Sun Dance. During this ceremony the men would tear their flesh to show their dedication to and empathy with all other living things that suffered, to the women who bore them, and to the earth itself. This culture had already completely internalized what we now call "ecology" and "holism." They understood that survival came from the earth, and that to spoil the earth, or to scar it, or to pretend to own it, was foolishness.

They did not "vote." Instead, their leaders were elders chosen by consensus. There was no separation between spiritual and secular life, and in lieu of courts and jails they had the Pipe. An agreement made with the sacred Pipe would never be broken; it was sealed forever.

One day–as the story goes–some buffalo meat hanging in the forest was stolen by "something more clever than a bear." In the Lakota tradition of giving a name by first impressions, the great European civilization became known as "Wasichu," stealers of the fat.

The fearless Oglala-Lakota warrior,chief Red Cloud, sensing that this peace pact with the Wasichus must be decisive, held out, refusing even to speak to General Sherman until all the Bluecoat soldiers were sent out of Lakota territory. The war lasted from 1865 through the summer of 1868, when the federal government instructed the U.S. Army to evacuate Forts Smith, Kearny, and Reno. A victorious Red Cloud burned the forts to the ground, and on November 6, 1868, he rode into Fort Laramie with his warriors to sign the treaty which would distinguish Lakota from U.S. lands for as long as the two nations existed.

There, in what is now Wyoming and the Dakotas, an alliance of Cheyenne, Arapaho, and Lakota Indians were forced to make a last stand for their buffalo country, their sacred Black Hills, and their way of life. The well,armed Bluecoats suffered heavily, and the U.S. Congress sent a Peace Commission to negotiate a treaty with these indomitable warriors who had made it clear that they were prepared to fight to the death to defend their homeland.

Soon the game began to disappear: the buffalo, deer, beaver, and even the eagle, the adopted emblem of the young nation. The "bluecoated soldiers" came in the wake of the trappers, introducting the Gatling gun and the breech loading Springfield rifle. In 1864 the troops of General John Chivington massacred 105 women and children and 28 warriors at Sand Creek, driving the small, surviving bands of Cheyenne north to the Black Hills and Lakota country.

The Indians knew what was at stake. They witnessed the advancing Wasichu and understood clearly that the two nations could not be wed, but believed that perhaps they could coexist. As Chief Seattle had said in 1854. "Our ways are different. He kidnaps the earth from his children. His appetite will devour the earth and leave behind only a desert. What befalls the earth befalls the sons of the earth. This we know."

So after touching pen to paper, as was the Wasichu's tradition, Red Cloud also sealed the agreement with the sacred Pipe as was the Lakota tradition. The Lakota Nation reserved for its undisturbed use 150 million acres of land west of the Missouri River, north of the Platte, east of the Powder, and south of the Yellowstone–forever. Wasichu could have the rest, and there would be peace.

The Trail of Broken Treaties

They have got as far as they can go, because they own their land in common. There is no selfishness, which is at the bottom of civilization.
–Henry L. Dawes, U.S. Senator, 1886

By the time Leonard Peltier was born in 1944, both the population of full flood Indians and the land base of the American Indian nations had been reduced to about 3 percent of their original figures–from the approximately 10 million people that had populated North America in 1492 to about 300,000 huddled in tiny, inhospitable reservations. Historian Dr. Wilbur Jacobs of the University of California has called this genocide the "worst demographic disaster in world history."

The friendly and generous Tainos who greeted Columbus had been wiped out with the Pequot, Mohican, and other eastern tribes. The once,great western nations such as the Apache, Cheyenne, Navajo, and Ute had been decimated and confined on reservations. Over 39 million acres of "Indian Territory" in Oklahoma had been reduced to 22,000 acres after the oil rush, the Hopi had retreated to their ancient city of Oraibi to wait out the propesied invasion, and the Great Lakota Nation–guaranteed sovereignty in the treaty of 1868–had been reduced to a few small reservations in North and South Dakota.

The Lakota Nation was broken up after gold was discovered in the Sacred Black Hills by General Armstrong Custer's troops in 1874. The U.S. government tried to buy the Black Hills, but the Lakota refused to sell; they also declined to "lease" the mineral rights. In November 1875 the Secretary of War issued orders to send troops into the Black Hills "unless something in done to obtain possession." On June 18, 1876, generals Custer and Reno launched their famous attack on the Lakota and Cheyenne camp of Crazy Horse and Sitting Bull. The warriors defeated the Bluecoats and killed Custer, but more soldiers came, driving the Lakota from their hunting grounds. The Black Hills were stolen, Sitting Bull fled to Canada, Crazy Horse was murdered at Fort Robinson, and the Great Lakota Nation was scattered.

The now famous 1980 massacre at Wounded Knee (350 people were butchered in the snow at Christmastime) plunged the Lakota Nation into a darkness from which it would emerge eighty,three years later, at that very spot.

After the massacre, the U.S. government ignored the fact that there existed within its borders a sovereign nation of Lakotas. In 1924 Congress imposed citizenship upon "all Indians born within the territorial limits of the United States." In 1934 Congress attempted to replace traditional Indian governments by imposing a "tribal council" system of elected representatives engineered and overseen by the Bureau of Indian Affairs (BIA).

Leonard Peltier's experiences as a young Indian in America were fairly typical: "My father is Chippewa and French. My mother is full blood Lakota," he would later write in prison. "In 1955 the Eisenhower administration had just enforced the Termination Act passed in the '30's, relocating us off our lands and into the cities. At school age I attended boarding schools, Wahpeton in North Dakota being the cruelest. Beatings were administered on a daily basis for the very least violation of rules. I witnessed children seven to thirteen years old being beaten, punched, and kicked by grown white men and women. We had to have all our hair cut off and were sprayed with DDT–to rid us of 'lice,' we were told. After I was released from Wahpeton, I returned to Turtle Mountain [Chippewa Reservation in North Dakota to live with my father."

In 1959, at the age of fourteen, Peltier attended his first Indian meetings, which were for him a "turning point": "At first my sole reason for going to these meetings was to get some food, because most of us had nothing to eat," he wrote. "One day when I got bored with running around outside the Meeting Hall with other teenagers I went inside and listened to what was being said. I saw an Ojibwa woman with tears in her eyes rise up and speak, pleading for someone to help her because her children were at home starving. She asked if there were no more warriors among our men, and if there were, why did they not stand up and fight for their starving children? That day I vowed I would help my people for the rest of my life."

At the age of twenty Peltier went to Seattle, where he ran an auto body shop and halfway house to provide jobs and support for Indians who were either relocated into the city or were returning from prison terms. In 1970 he met American Indian Movement organizers Dennis Banks, Clyde Bellecourt, and Russell Means. AIM had been founded in 1968 as a national Indian organization free of government strings, that could protect Indian lives and treaty rights. The traditional leaders were not asking for help from the U.S. government ; they were asking for the sovereignty

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promised them. AIM's message to the U.S. was "Keep your welfare, honor your treaties."

In 1972 Peltier moved to Milwaukee, where he helped organize a caravan to join the "Trail of Broken Treaties" gathering in Washington, D.C. on October 30, 1972, several hundred Indian people from across the country arrived in Washington with a list of twenty proposals for reorganizing Indian/government relations and investigating treaty violations. They received a cold shoulder from the BIA.

During the week-long struggle that ensued, the offices were sacked, BIA files revealing government corruption were smuggled out to newspapers (also uncovered was evidence of massive involuntary sterilization). and the intractable Indians won a White House hearing on the twenty proposals and grievances.

The government also promised that no prosecutions would stem from the occupation. However, the FBI immediately turned the attention of COINTELPRO, its domestic surveillance operation, onto the AIM leadership: in a memo leaked from Attorney General William Saxbe's files, the FBI urged local police to "put AIM leaders under close scrutiny and arrest them on every possible charge until they can no longer make bail." Among the thirty–two leaders targeted by the FBI after the BIA occupation were Banks, Means, Bellecourt, Larry Cause (shot by Gallup, New Mexico, police on March 1, 1973) and Leonard Peltier.

Rebirth of the Oglala Nation

Wounded Knee Massacre Historical Site, Mass Burial Grave, Authentic Arts and Crafts–51 Miles.
–Billboard, South Dakota

On the evening of November 22, 1972, Leonard Peltier was sitting in a Milwaukee restaurant when two "off–duty"policemen picked a fight with him. As he left the restaurant later, they jumped him, beating Peltier so fiercely that, according to Peltier's attorney, Bruce Ellison, one of the cops broke most of the blood vessels in his hand and he could not work for several days afterwards. In the struggle they found a gun on Peltier (which did not work: the firing pin was broken), and so they charged him with attempted murder. One cop received a citation for "saving" his budyy's life by foiling the "murder attempt." Peltier was held for several months at a high bail.

Meanwhile, in December 1972 the Lakota elders, or "traditionals," on Pine Ridge Reservation a were engaged in a life–or–death struggle with the BIA's tribal council for control of the reservation. The tribal "chairman" at the time was Richard ("Dickie") Wilson, who, according to Voices from Wounded Knee (Akwesasne Notes, 1974), had been charged with the misuse of $6,000 in tribal funds in 1969 but had never been brought to trial. During the January 1972 election Wilson reportedly received $10,000 from a friendly Rapid City building contractor and used this money to hire a private "security force," known on the reservation as the "goon squad." Upon taking office in March 1972, Wilson also was given $1,000 per month BIA job and control of the funds flowing into the tribal council from the government. His first order of business was to attempt to consolidate his own power, by putting his friends and supporters in office and suppressing opposition within the community and on the council.

Within the next few months, the friendly building contractor reportedly received over $1,000,000 in BIA contracts and Wilson spent $56,000 of BIA money to fund his expanding goon squad.

A wave of violence swept across Pine Ridge. Goons harassed, beat up, and shot at anyone who openly opposed the Wilson regime. When Wesley Bad Heart Bull was murdered in January 1973, his killer was charged with second-degree manslaughter and acquitted. In the ensuing protests, Wesley's mother, Sarah Bad Heart Bull, Dennis Banks, and twenty-six other Indians were arrested and sentenced to prison terms. In February several members of the tribal council, with the support of the Lakota elders, attempted to impeach Wilson. They gathered more signatures than the original number of votes for Wilson, but the BIA refused to hear the case.

Pine Ridge was in a state of siege: the Special Operations Group (SOG) of the U.S. Marshals Service had mounted machine guns on the roof of the BIA offices, and Wilson's goons terrorized the outlying towns. When the White House issued a blanket rejection of the twenty Broken Treaty proposals, the elders concluded that the time had come to hold a protest at the Wounded Knee Village, to call attention to corruption in the Wilson administration as well as treaty violations and the general situation on the reservation. They called their AIM warriors onto the reservation and brought them together at a meeting in thebasement of a hall in Calico.

The town was surrounded by federal troops. Inside the small building the Lakota women (who traditionally make such decisions) spoke in favor of armed resistance. As Dennis Banks later recalled, "We had reached a point in history where we could not tolerate the abuse any longer, where these mothers could not tolerate the mistreatment that goes on on the reservations any longer: they could not see another Indian youngster die. They asked AIM what we were going to do about the injustices that were going on at that very minute, allowing the federal officers, the FBI,the marshals to turn the village of Pine Ridge into an armed camp. These women asked that the fighting spirit return. One by one, the chiefs stood up."

On February 27, 1973, AIM fortified the town of Wounded Knee, and on March 19 the Independent Oglala Nation was reborn. Federal troops, SWAT teams, FBI agents, and state marshals swarmed into the area, spending $23,000 per day on helicopters, armed personnel carriers, troops, weapons, ammunition, and supplies. The Indians were armed with .22s and hunting rifles; food and supplies had to be smuggled in through police lines. During these supply runs, 150 people were caught and arrested. In early spring Peltier, finally released from jail on a lower bond, headed toward Pine Ridge to help out his people, gathering supplies and medicine en route.

On April 17, Frank Clearwater, fort–seven–year old Apache who had travelled 2,200 miles to help the Oglala, lay down in a church to rest after a supply run and was struck by sniper fire he died ten days later. On April 27, tear gas was used to flush Buddy LaMonte from hiding in a hollow near Wounded Knee he was hit by a burst of machine gun and M-16 fire, and killed instantly.

On May 6, Indian negotiators agreed to end the occupation in exchange for Senate, Congressional, and White House talks concerning the conditions on Pine Ridge Reservation. On May 9,the seventy–one–day siege ended as federal troops moved into Wounded Knee and organizers filtered out. Leonard Peltier, aware that he was targeted by the FBI, moved underground to Seattle.

The promised "talks" never materialized. Instead, a nationwide FBI dragnet snared AIM leaders, and Dickie Wilson consolidated his despotic reign at Pine Ridge.

I prayed, and I sang a song that our people sing when the enemies are around and coming for them.
–Agnes LaMonte, Lakota Indian

The Reign of Terror

Peltier may have managed to slip the dragnet, but Banks, Means, and 135 other AIM people were brought to court on conspiracy charges. FBI operatives Douglass Durham and Harry and Jill Shafer infiltrated the Wounded Knee Defense Committee defense witnesses reported being harassed and beaten by Wilson's goons, who were also busy terrorizing the opposition as another election approached.

Helen Red Feather, four months pregnant, was maced, beaten, and kicked by two assailants whom she identified as BIA policemen Paul Herman and goon Chris Red Elk. Nine–year–old Mary Ann Little Bear lost the sight in one eye when she was struck by a bullet fired at her family's home witnesses identified the assailants as John Hussman, Francis Randall, and Woody Richards of the Wilson goon squad. On October 17, 1973, Wounded Knee defense witness Pedro Bissonette was shot and killed at close range by a BIA policemen who claimed he had a warrant for Bissonette's arrest. The story that the policeman gave was that he had stopped Bissonette on the road and Bissonette had reached for a gun. No gun was ever produced, and the case was not investigated further. Within a year of Wounded Knee, thirty Indians had been killed on Pine Ridge Reservation in violent and unexplained murders.

Wilson "won" the election, which was later investigated by a U.S. Commission on Civil Rights. The commission substantiated the fact that nonreservation people and white ranchers had voted, absentee ballots were submitted by unknowns, and the opposition had been intimidated. Nevertheless, the BIA refused to acknowledge the investigations, and Wilson clung to power.

During the trial of Banks. Means and five other Wounded Knee defendants, Lakota Indian Louis Moves Camp was approached by FBI agents David Price and Ronald Williams, who would later become central figures in the case against Peltier they convinced Moves Camp to testify against Banks and Means, and he went with the two agents to St. Paul, Minnesota, for the trial. As the date for his court appearance approached, however, Moves Camp began to have second thoughts. One evening Price and Williams got Moves Camp drunk in the hotel room where they were staying. That night, near the hotel, there was a rape. When Moves Camp woke up with a hangover the next morning, Price and Williams informed him that he had raped a woman the night before, and that he was going to be charged. They told him that if he agreed to testify in the Wounded Knee trial, however, the charges would be dropped. Moves Camp, confused and scared, agreed.

On the stand, however, in front of Judge Fred Nichol and the defendants, Moves Camp fell apart. He spilled the whole story, and the prosecution's case disintegrated. Judge Nichol, who had previously jailed defense attorneys William Kunstler and Mark Lane for contempt of court, later threw much of the case out of court, charging the FBI with misconduct. He ruled that the federal forces had acted illegally in calling in troops without declaring an emergency, and concluded, according to news reports, "The faking of evidence, harassment – that's going pretty damn far. I don't want to live in a police state."

"Did they ever ask the question: Who brought the guns to our land? Who shot first? How many of our people have died?'
John Trudell, AIM leader

The events at Pine Ridge did not happen in isolation, but were being repeated throughout the United States and Canada – particularly at those sites where uranium, coal, or other resources had been discovered on Indian land. In early June 1975 Peltier traveled to the

Southwest to attend AIM's national convention; here, not long before, on the Hopi reservation in Arizona, several traditional leaders opposed to uranium and coal leases on their land had been murdered in what the local papers called a "bizarre cult killing."

By the time Peltier returned to Pine Ridge, on June 18, 1975, seven traditionals had been killed there in two months, including Edith Eagle Hawk and her four–month–old daughter, Jeanette Bissonette (a relative of Pedro); and eighty–one–year–old Rose Good Buggalo. Peltier, his cousin Bob Robideau, friend Dino Butler, Joseph Stuntz, fifteen–year–old Norman Brown, and several others made a camp near the home of eighty–year–old elders Harry and Celia Jumping Bull and set up a sweat lodge in preparation for the Sun Dance to be held in August.

On June 23, several Pine Ridge residents noticed that the BIA officials were removing their families from the area. The following day, SWAT teams began "practicing maneuvers" nearby by this time forty FBI agents had been added to the local forces. Then, on the night of June 25, 1975, Wilson goons drove through the reservation, shooting randomly at houses. Although no one was killed, the elders and AIM leaders could sense trouble building around them like a thundercloud.

On the morning of June 26, Peltier, Robideau, Butler, Stuntz, Brown, and several others sat around their campfire eating breakfast. Sometime after eleven o'clock, Peltier and Robideau recall, they heard shots coming from the direction of the Jumping Bull's house. Assuming that Wilson's gunmen were attacking the house, they grabed rifles (mostly .22s) and ran in the direction of the noise. Over the crest of a ridge, they spotted two unmarked cars parked 200 yards away; two men – later identified as FBI agents Jack Coler and Ronald Williams (the same agent who, with David Price, had been reprimanded for coercing Moves Camp) – were firing at the house.

The approximately fifteen men, women and children who had been sleeping in or around the house were staying low, slipping around the back and running down along the ridge as bullets kicked up the dirt and crashed through the walls of the house. From their position on the ridge Peltier and the others returned fire, creating a diversion and some cover for the fleeing targets.

SWAT teams and FBI reinforcements immediately swarmed into the area. FBI troops were airlifted into Pine Ridge from as far away as Chicago and Virginia. The FBI would later claim that agents Williams and Coler had come to the reservation merely to serve a warrant on Jimmy Eagle, a teenager accused of trying to steal a pair of cowboy boots.

As the women, young men, and children retreated west toward the hills, Peltier and the others from the camp followed, maintaining a rear–guard action. Brown would later recall: "We thought we were surrounded we didn't know what to do, so we stopped by a creek bed and prayed." According to Robideau, "We moved up a long hill for about a thousand yards. Rifle fire fell all around; we could hear the bullets in the air, but no one was hit. We sat down on top of the hill we felt safe there, and we rested. We could see hundreds of armed troops combing the area below."

Joseph Stuntz and agents Coler and Williams were killed that day in the first firefight. On that same day, June 26, 1975, Dickie Wilson was in Washington, negotiating to transfer one–eighth of the Pine Ridge Reservation (133,000 acres) over to the Department of the Interior for undisclosed reasons that could only be guessed at years later, when the Union Carbide Corporation expressed interest in exploring some of the land for uranium.

FBI reports of the shootout called it an "ambush launched from sophisticated bunkers" and claimed that the two agents had been "dragged from their cars and executed when they tried to serve warrants" to Pine Ridge residents. The major news agencies picked up the story from the FBI and reported it as an "Indian ambush." However, both the U.S. Civil Rights Commission and the *Columbia Journalism Review* launched independent investigations and concluded that the FBI had lied about the incident. William Muldrow of USCRC reported, "It is patently clear that many of the statements that have been released regarding the incident are either false, unsubstantiated, or directly misleading."

Cover illustration: Emma Hesse

BRAVE–HEARTED WOMAN

"I think it's a very serious thing that's coming out – very, very serious. They are going to destroy their own concept of freedom."

Anna Mae Aquash

On the day after the firefight, 175 FBI agents (according to contemporary news accounts, the largest force ever dispatched on a single case) arrived in South Dakota. Along with state troopers and BIA police, the agents – including counterinsurgency SWAT teams (many of whom were Vietnam veterans) - swept through the Pine Ridge and Rosebud reservations, sacking houses and pulling in 364 persons for questioning in a three–month search for a witness who would name a suspect in the killing of the two dead agents. (The death of Joseph Stuntz, however, was not investigated.)

Peltier and the others involved in the firefight had moved east to the Rosebud Reservation, where they participated in the Sun Dance with the spiritual leader Leonard Crow Dog. At about 6:00 a.m. on the morning of September 5, 1975, one hundred armed FBI agents, including David Price (Ronald William's colleague in the Moves Camp frame–up) invaded the Crow Dog camp. Among those dragged from their beds, handcuffed, and arrested were Dino Butler and Anna Mae Aquash, a twenty–seven–year–old Micmac Indian from Nova Scotia who had participated in the Wounded Knee siege. When he got to Aquash, Price apparently recognized her: "You!" he exclaimed. "I've been looking all over for you."

Aquash later testified: "I saw FBI agents standing there with M–16s and pistols. They just came in and – I don't know the correct word to use – raided or busted or just pillaged... You know, they were just all over the place, dumping things and just tearing things apart. While I was standing there with a group of women, I was brutally harassed... They were accusing me of a number of things that I had not done."

The captives were taken to the Pierre, South Dakota, Federal Building, where an FBI agent told Butler, "Cooperate and live don't cooperate, and die." Meanwhile, Price was interrogating Aquash. According to her account: "He started asking me question totally unrelated to what I had been arrested for." (She was charged with possession of a weapon with an obliterated serial number found at the camp. "He started talking about the June 26 incident...He kept insisting that I used to live there at the Jumping Bulls' house in Pine Ridge,and I kept insisting that I had never lived there." According to Aquash, Price told her that she could "clear herself" by "naming some people." She answered: "You can shoot me or put me in jail. Those are the two choices I am taking." Price then said, "I'll see you dead within a year."

Aquash was eventually released and then, by all appearances, followed to the West Coast. At 10:00 p.m. on November 14, 1975, Oregon state police stopped the camper in which she was riding with Dennis Banks' wife, Kamook Banks, who was eight months' pregnant, and her two–year–old daughter. The police also stopped a station wagon that was following the camper at a distance of mile the driver was Kenny Loud Hawk, Russell Redner the only passenger. The captives spent several hours face down on the asphalt while the troopers, who had apparently hoped to capture Peltier and Dennis Banks, filled the camper with tear gas and rifle fire.

The troopers claimed to have found seven cases of dynamite in the station wagon and later charged the occupants of both vehicles with possession and interstate transportation. Peltier, whose presence was never even established, was also charged with possession, and with shooting at an officer. Later, according to police testimony (the trial is still pending), the troopers "destroyed the evidence" because it was "unsafe."

Loud Hawk and Redner were held in Oregon. Kamook Banks was returned to Kansas to face a previous charge of possession (her baby was born in jail there and named Iron Door Woman). Aquash was sent back to South Dakota, where she had weapons and explosives charges facing her; once returned, she was released on bail.

Upon her release, Aquash phoned her sister in Nova Scotia, saying she "feared for her life" because she had refused to cooperate with the FBI. In January 1976 she sent a note to AIM spokesperson JOhn Trudell in California, saying, "I'll talk to you through the rain."

On February 24, 1976, rancher Roger Amiott found a decomposing body in a riverbed and called the police. He reports that BIA police arrived within 20 minutes. Also present was FBI agent David Price. The body was taken to the Pine Ridge Public Health Hospital, where BIA pathologist W.O. Brown performed an autopsy; he concluded that the woman had died from "exposure." The hands were severed, Price sent them to FBI headquarters for "identification," and the body was buried immediately in an unmarked grave. The death warrant read "Jane Doe."

A week later the FBI "discovered" from the fingerprints that the dead woman was Anna Mae Aquash. Her next of kin in Canada were notified, and her sister was naturally suspicious; she requested, through lawyer Bruce Ellison, an independent autopsy. On March 11 the body was exhumed and examined by Dr. Garry Peterson of Minneapolis. His report: "On the posterior neck, 4 cm. above the base of the occiput and 5 cm. to the right of the midline, is a 4 mm. perforation of the skin... Surrounding this is an area of reddish discoloration measuring 5 X 5 cm.. Removed from the brain is a metallic pellet.. consistent with lead." Aquash did not die from "exposure," she was murdered at close range with a .38 caliber handgun. No court has ever questioned David Price concerning his personal interest in the body of an unidentified Indian woman when hundreds of such cases had gone uninvestigated, and no court has ever asked Dr. Brown how he missed seeing a bullet, bullet hole, and two–inch blood stain during his autopsy.

Aquash was given a traditional burial on March 14, 1976. Shirley Hill Wit from Women of All Red Nations wrote in a subsequent eulogy: "After Wounded Knee the AIM men were arrested neutralized or eliminated by one means or another. With the work of the Brave–Hearted Women who bore a heavy share of the task of physical and spiritual survival of their people, AIM did not die. The executioners of Anna Mae did not snuff out a meddlesome woman. They exalted a Brave–Hearted Woman for all time."

On November 25, 1975, five months after the firefight in Pine Ridge, the FBI named in a single indictment Bob Robideau, Dino Butler, Jimmy Eagle, and Leonard Peltier, charging them with "aiding and Abetting" in the murder of agent Jack Coler and Ronald Williams. Butler was already in custody, having been rounded up during the assault on the Crow Dog Camp Robideau was arrested in Wichita, Kansas, and Jimmy Eagle, who had turned himself in after learning of the FBI warrant for his arrest, was also in custody.

Peltier had fled to Canada, where he was tracked down

and arrested by the FBI with the aid of the Royal Canadian Mounted Police. At the time of Anna Mae Aquash's murder, he was being held in Oakalla Prison outside Vancouver, British Columbia, awaiting an extradition hearing. The U.S. government was requesting that he be returned to face five charges in all: for the "attempted murder" of the two cops in Milwaukee in 1972 (he had jumped bail to help out at Wounded Knee), for a burglary which took place in Oregon in November 1974, and for the 1975 murders of Coler and Williams.

On May 3, 1976, the hearing opened before Justice W.A. Schultz, with Canadian Department of Justice lawyer Paul William Halprin representing the U.S. government. On May 11 the defense was shocked when Halprin presented an affidavit from a woman who claimed to be Peltier's "girlfriend." Myrtle Poor Bear, a woman unknown to Peltier, claimed in the affidavit that she had traveled with Peltier to the Jumping Bull camp in May 1975. (Peltier did not arrive at the camp until June, after his trip to the Hopi reservation.) The Poor Bear affidavit continued: "When Peltier arrived, he gave orders on what was to be done. He and others began planning on how to kill either FBI, U.S. government police, or BIA agents who might come into the area. Peltier was mostly in charge of the planning. I was present on the day the FBI agents were killed. I saw Leonard Peltier shoot the FBI agents."

The startled defense launched an investigation but was unable to discover anything about the mysterious Myrtle Poor Bear. One person, however, knew all about Poor Bear. He had made the affidavit available to the U.S. government, which had in turn made it available to Halprin. That person was none other than FBI agent David Price.

From March 19 to 21 Myrtle Poor Bear had stayed at the Hacienda Motel in Gordon, Nebraska, with agents Price and William Wood. Their purpose in holding her there, according to her supsequent testimony, was to use her as a witness in trial charging Lakota Indian Richard Marshall, one of the leaders of AIM in Pine Ridge, with the murder of Martin Montileaux, who was shot in the bathroom of a restaurant near Pine Ridge in 1975. Montileaux lived for three days after, during which time he identified his assailant as a man with "shaggy hair" who was wearing an "army coat" – a description that did not fit Marshall, who wore his long hair in braids. Nevertheless, Poor Bear would later testify against Marshall; he was convicted of the crime and sentenced to life in prison. (Now incarcerated at South Dakota State Penitentiary in Sioux Falls, Marshall is currently chairman of the Native American Council of Tribes.)

While in the company of the agents, Poor Bear apparently signed several contradictory statements concerning Peltier. The first read that Peltier had *told* her about killing the agents; the second was an "eyewitness" report of the slayings. The third and final affidavit, signed on March 31 and later sent to Vancouver as "evidence," fleshed out in detail the story of how Peltier supposedly shot the two agents at close range.

Other witnesses for the prosecution included several FBI agents who sent in affidavits claiming that they had identified Peltier through their rifle scopes, and the two Milwaukee policemen who had charged him with attempted murder.

On May 18 the defense called John Trudell to the stand. He related the story of Anna Mae Aquash and told how the FBI had drawn AIM into violence and then prosecuted the leadership throughout the country. After Trudell's testimony, Canadian Minister of External Affairs Allen MacEachen immediately called for an "urgent investigation" of FBI conduct in relation to the Aquash and Peltier cases.

When Peltier took the stand, he asked the court for political asylum in Canada. "We were left with what white society thought was worthless land," he told the court. "They would now like to push us off our reservations because beneath the barren land lies valuable mineral resources. This is why I am standing here today before this court in shackles. Will the Canadian system of justice, knowing of these abuses, be used as a tool of the corrupt American state?I am asking this court and this courty to grant me political asylum."

On June 18, 1976, Justice Schultz ruled that the U.S. government had presented enough evidence to warrant Peltier's extradition. The extradition order would have to be executed by Canadian Justice Minister Ron Basford; meanwhile Peltier was returned to solitary confinement at Oakalla Prison.

Concurrently, Peltier's co–indicted defendants Robideau and Butler were being tried in Cedar Rapids, Iowa. During the proceedings, the contradictory affidavits of Myrtle Poor Bear surfaced, as did a memo from the FBI to local law enforcement agencies accusing AIM of plotting ten violent crimes, including the assassination of South Dakota governor Richard Kniep. When attorney William Kunstler asked FBI director Clarence Kelly if there was "one shred of evidence" upon which the accusations were made, Kelly replied: "None." Sen. Frank Church testified about the abuses of the FBI. Fifteen–year–old Norman Brown testified that FBI agents had threatened him with life in prison and even death if he refused to cooperate and lie on the stand.

Robideau and Butler pleaded self–defense and were acquitted. Charges against Jimmy Eagle were then dropped; the FBI admitted that he had not even been at the Jumping Bulls' house on the day of the firefight. Peltier alone was left to face the charges.

On December 20, 1976, Basford finally signed the extrdition order, and Peltier was delivered into the hands of U.S. authorities. He wrote later from jail: "During the ten and a half months I spent in Oakalla Prison, I was kept in solitary confinement and in chains. I learned what it was like to be living in the midst of blind hatred. I believe that the incredibly brutal terms of confinement I experienced in Canadian prison was the worst treatment a political prisoner could expect anywhere in the world. I had heard that Jimmy Carter had been railing against the horrors of human rights violations against political prisoners in other parts of the world, so I almost welcomed the idea of being incarcerated in the United States since I visualized humane treatment in Carter's haven for human rights. What a cruel joke."

Peltier was held in Fargo, North Dakota, while awaiting trial. The victory in Cedar Rapids had given his defense committee confidence that they could win in Fargo. The Cedar Rapids trial had brought out evidence of FBI harassment of witnesses, tampering with evidence, brutality, perjury, infiltration of the defense, the COINTELPRO conspiracy and the FBI "Dog Soldier" memo against AIM leaders, the awesome military assault of Pine Ridge on the day in question, and the general FBI obstruction of justice. What had originally been described by the FBI as an "ambush" on June 26, 1975, had been exposed as a violent diversion from the land deal that Dickie Wilson was negotiating that very day in Washington. Peltier's defense committee had plenty of evidence with which they could prove his innocence – but they would never get to use it.

PART TWO – TWO LIFETIMES

Fargo is a dusty crossroads in the midst of the conservative northern Midwest. It is the site of the federal district court, where Judge Paul Benson, a Nixon appointee, sits on the bench.

In Fargo, Peltier and his lawyers also got a chance to speak with Myrtle Poor Bear, the woman who had signed the affidavits used to extradite Peltier from Canada. Recanting her "eyewitness" account of the alleged murder, Poor Bear attempted to move over to the defense side. She told the lawyers, and eventually Judge Benson, that she had signed the affidavits (three in all) under the coercion of threats on her life made by FBI agents David Price and William Woods.

Judge Benson, however, refused to allow the Poor Bear testimony to be presented to the jury, stating that "The FBI is not on trial here"; he refused to hear any testimony concerning FBI wrongdoing. Peltier was left without a defense strategy.

"Benson simply refused to allow us to present our defense," said Peltier's attorney, Bruce Ellison. "We had established in Cedar Rapids that the accused had acted in self–defense and that the FBI was guilty of serious obstruction of justice, but Benson quickly shut off that avenue of defense. He just said, 'No, you can't present that evidence.' We had solid evidence of governmental fabrication of physical and testimonial evidence Benson refused to hear it."

Government prosecutors Evan Hultman and Lynn Crooks relied largely on circumstantial evidence in their attempts to connect Peltier with the deaths of the two FBI agents. They did not use the Poor Bear affidavits, knowing that the defense would be able to disprove their validity instead they called FBI agents and informers as witnesses. The defense claims to have had evidence that the testimony of government witnesses Gregory Clifford, Marvin Bragg, Marion Highbull and Melvin Whitewing – all had signed statements claiming that Jimmy Eagle had "confessed" to them – was false and given under coercion; however, Benson would not allow that evidence to be presented to the jury.

In all, the government presented five weeks of testimony. Prosecutor Hultman paraded around the courtroom with a gun that he claimed had belonged to "an AIM member," though not necessarily Peltier. As he delivered his final remarks, he stated that "Sometimes circumstantial evidence is the best there is." Crooks referred to Peltier and the others who were with him on the day in question as a "brutal, cowardly, bloodthirsty bunch."

The defense had two and a half weeks of testimony planned, but Judge Benson disallowed most of it; the jury was allowed to hear a day and a half of defense testimony.

Prior to the Cedar Rapids trial, Norman Brown, a teenage Indian, had told a grand jury that he had seen Peltier, Robideau, Butler and Eagle "down by the agents' car". Brown recanted that story and admitted that FBI agents had threatened him with death if he refused to tell the lie. In Fargo, the government presented another teenage Indian, Mike Anderson, before the jury and judge. He told the same story. Again, the defense had evidence that Anderson was lying under coercion; again Judge Benson refused to hear that evidence.

In a Watergate–like testimony the FBI stenographer claimed that she had accidentally "destroyed" all her notes of the radio transmissions that the two FBI agents had made before thier death. She also testified that her "official" record of the transmission was produced under dictation from an FBI higher–up.

One FBI report indicated that the record had been "typed on the 26th" but "dictated on the 30th." This same report contained a gap of four lines followed by a change of typewriters. When these discrepancies were pointed out by the defense, Judge Benson scoffed; the defense attorneys are "wasting your time," he told the jury.

One FBI agent called as a prosecution witness claimed to have identified Peltier through a seven–power gun scope from half a mile away. The defense produced a gun expert who testified that such identification was impossible. They offered to take jurors out to test a seven–power scope, but Benson refused to allow the move, claiming, again, that it was "a waste of time."

On April 18, 1977, after deliberating for only five hours, the jury convicted Leonard Peltier of "aiding and abetting" in the murder of the two FBI agents. He was sentenced to two life terms in Marion Federal Penitentiary, the highest security prison in America.

After the Fargo trial, Peltier was returned to Milwaukee to face a charge of attempted murder. Peltier claimed that two policemen had attacked and beaten him outside a restaurant there on February 22, 1972 the policemen, in turn, claimed that Peltier had pulled a gun on them and that one had valiantly saved the other by thrusting his hand between the hammer and the firing pin. "It was like Starsky and Hutch," said lawyer Bruce Ellison. "Their story was absurd."

The defense called several witnesses from the restaurant to corroborate Pertier's version of the incident. They also called Bell–Anne Guild, an ex–girlfriend of Ronald Halvinka, one of the policemen. She testified that, prior to the incident at the restaurant, Halvinka had shown her a photograph of Peltier and had told her that he was going to "help the FBI get a big one." Her testimony destroyed the prosecution case, and Peltier was acquitted.

The U.S. government had used the "attempted murder" story in both the Canadian extradition hearings and the Fargo trial to establish Peltier as a hardened criminal. His acquittal now did him little good; he was transferred to Marion Prison to serve his two lifetimes.

THE STAR–SPANGLED ARCHIPELAGO

The Control Unit has been used to silence religious leaders. It has been used to silence economic and philosophical dissidents.

Federal Judge James Forman,
St. Louis, Missouri.

The Peltier defense team immediately launched an appeal, claiming that Peltier was a political prisoner, railroaded into a conviction by a biased Judge Benson and a vengeful FBI to erase opposition to the land grab that was taking place on the Pine Ridge Reservation. Inside Marion Prison, Peltier was sent to the dreaded "Control Unit," a six–by–six–by–eight–foot cell, known inside the prison system as "the end of the line."

The Control Unit is a behavior modification laboratory using techniques designed by Dr. Edgar Schein. In Dr. Schein's own words, the Control Unit is designed for brainwashing. He said in a 1962 speech to U.S. Prison Wardens in Washington D.C., "In order to produce marked changes of behavior, it is necessary to weaken, undermine, or remove the supports of the old attitudes. I would like you to think of brainwashing not in terms of politics, ethics and morals, but in terms of the deliberate changing of human behavior by a group of men who have relatively complete control over their environment in which the captive populace lives."

Official practices used in the Marion Control Unit include "isolation, sensory deprivation, segregation of leaders, spying, tricking men into written statements which are then shown to others, placing individuals whose willpower has been severely weakened into a living situation with others who are more advanced in their thought reform, character invalidation, humiliations, sleeplessness, rewarding subservience, and fear." Unofficial practices, according to Victor Bono, an ex–Marion inmate, include "attrocities that are on a par with Pinochet's concentration camps in Chile and with Hitler's Auschwitz."

While Peltier was confined to his cell 23½ hours a day, forced to sleep on a small metal slab that hung from the wall, a plot to kill him was being hatched inside the prison.

On May 12, 1978, Marion prisoner Standing Deer (AKA Robert Wilson), an Indian facing seven felony charges in Oklahoma, was approached by two men whom he would later describe as "a well–dressed stranger and Marion Prison Chief Correctional Supervisor R.M. Carey." Standing Deer had developed a degenerative spine condition but had been refused treatment for over a month. According to Standing Deer, the "stranger" told him that if he would cooperate in an unspecified operation, he would receive medical attention. He agreed, and the next day he was transferred to the prison hospital.

On May 17, the two men again approached Standing Deer, now in a hospital bed. According to Standing Deer's subsequent testimony, the stranger told him that if he would cooperate in "neutralizing Leonard Peltier," he would get immediate medical attention and would also get paroled from the federal system to his Oklahoma detainer. "I asked the stranger who he represented and what he meant by 'neutralizing Leonard Peltier,' " said Standing Deer later. "He said that I would have to weigh that for myself, but that according to my record I was not averse to 'going all the way' when faced with a desperate situation. I asked what he meant by 'going all the way,' and Mr. Carey interrupted, saying that I was wasting their time if I was going to play dumb."

The stranger, according to Standing Deer, then told him that if he cooperated, the seven felonies would be dropped, but if he refused, he would be sent to Oklahoma to face the charges. The stranger added that he would personally see to it that Standing Deer would "not survive the trip to Oklahoma."

Standing Deer did not know Peltier at the time, but he told the stranger, "If you could get those charges dropped, I'd kill Peltier in Times Square." He recalled that as the two men left, the stranger added: "Don't even think of playing us for fools, because at this point it's Peltier's life or yours."

On June 1, 1978, Standing Deer received an official letter from the Oklahoma district attorney's office informing him that the charges against him were being dismissed. He began getting close to Peltier, who by now had been returned from the Control Unit to the general prison population.

On July 4 Standing Deer and Peltier sat talking together in the prison recreation room. Peltier told Standing Deer about the Indian Movement, the traditional elders, the demand for treaty rights. He told Standing Deer about how he had been framed, about Myrtle Poor Bear, and about the deaths on Pine Ridge Reservation. Peltier's story touched Standing Deer; he began to feel a closeness to the Indian tradition that he had never experienced before.

As the friendship grew, Standing Deer felt ashamed of his hidden purpose, and he told Peltier of the plot to kill him. Peltier told Standing Deer to pretend to continue to cooperate, so that the agents would not hire another assassin and he would have time to hatch a counterplot.

"THE ONLY THING I AM GUILTY OF IS TRYING TO HELP MY PEOPLE. FOR THIS IT IS VERY POSSIBLE I WILL SPEND THE REST OF MY LIFE IN PRISON."

On November 9, 1978, the stranger returned to ask Standing Deer what he was doing to keep his part of the bargain. Standing Deer told him that the best way to kill Peltier would be to fake a prison escape attempt and kill him at the wall. According to Standing Deer, the stranger agreed, but suggested that Marion was too secure to stage a credible escape; he said that both Peltier and Standing Deer would be transferred to Lompoc, a minimum security prison in California, and that a second assassin would meet Standing Deer in Lompoc to "help neutralize Peltier." This second assassin, the stranger told him, "enjoys our complete trust, and he will also be watching you to be sure you perform."

On December 9, 1978, Standing Deer was transferred to Leavenworth Prison, en route to Lompoc. In February of 1979 the Bureau of Prisons transfered Leonard Peltier – supposedly a dangerous criminal with a maximum security classification – to the minimum security facility in Lompoc, California.

On March 5, 1979, the Supreme Court declined to accept the Peltier case for review. A year earlier, on April 12, 1978, the Eighth Circuit Court of Appeals in St. Louis had refused to grant an appeal, even though Judge Donald Ross admitted that the actions of the FBI gave "credence to the claims of Indian people that the United States must be willing to fabricate evidence."

On May 10, 1979, Charles Richards – known to the traditionals and to Peltier as a former member of Dickie Wilson's goon squad on Pine Ridge Reservation – entered Leavenworth Prison en route to Lompoc. Standing Deer suspected him of being the second assassin and sent word to Peltier. By the time Richards arrived at Lompoc on May 24, 1979, Peltier, expecting him, had already planned an escape with two friends whom he had met inside Lompoc: Boby Garcia and Dallas Thundershield. Garcia urged Thundershield not to join them in the escape attempt, because he was young – twenty–one – and had only a short time left to serve. However, Thundershield was devoted to Peltier and insisted on helping to "draw fire" away from him during the escape. While awaiting the break, both Garcia and Thundershield stayed with Peltier twenty–four hours a day, acting as bodyguards.

On July 20, Peltier, Garcia, and Thundershield waited for dark, then went over the fence at Lompoc. Outside the fence, Dallas Thundershield was shot twice in the back by William H. Guild, a custodian in the prison power plant who had been armed and waiting. Guild handcuffed Thundershield, who died there on the ground. Garcia was captured near the prison and sent back. Peltier was free – for the first time in three years. His freedom, however, was short–lived; on July 25 he was recaptured by FBI agents and state marshals, and returned to Lompoc.

Peltier's defense lawyers anticipated that the impending escape trial would be an opportunity to expose the plot to murder Peltier inside the prison system. However, they were to be frustrated once again, this time by Judge Lawrence Lydick, another Nixon appointee (and former law partner of Nixon's), who refused to allow testimony in his court concerning the murder plot. Twelve witnesses from Marion, including Standing Deer, were willing to testify about the plot to kill Peltier, but Judge Lydick refused to allow the evidence to be presented before the jury.

The trial, held in the U.S. District Court in Los Angeles, opened on November 14, 1979, and lasted two months. On December 12 Standing Deer was allowed to testify, but when he mentioned the plot to "neutralize" Peltier, Judge Lydick ordered the comment stricken from the record, and instructed the jury to disregard it. On the following day, Peltier took the stand. When he told the jury that he had escaped to save his life, Lydick again ordered that the comment be taken off the record, and warned Peltier that he would be charged with contempt of court if he attempted again to raise the issue of the assassination attempt before the jury. Peltier then tried to tell the jury that his conviction in Fargo, North Dakota was also due to not being allowed a defense, but Judge Lydick again stopped him and ordered the comments stricken from the record. Peltier said, "I am not going to participate in this railroad any longer," and walked off the stand in protest.

Peltier and Garcia were convicted of escape; Peltier was also convicted of being a felon in possession of a gun. He was sentenced to seven years on top of his two life terms and returned to Marion Prison and the Control Unit.

Roque Duenas, a friend of Peltier's who was charged with aiding and abetting the escape from outside the prison, was tried before Judge Robert Tagasugi, who expressed deep concern about the evidence of government misconduct. Upon sentencing Duenas, Tagasugi said that he was convinced that he was not "dealing with a common criminal, but with a man with very deep human dimensions committed to the rights of Indians." He added, "If there was even a grain of truth in the allegations of misconduct by the FBI, the actions should be viewed as Gestapo techniques that should not be tolerated."

In November 1980 Peltier's lawyers were able to secure about two thirds of his FBI file through the Freedom of Information Act; 12,000 pages were released, but, more interestingly, 6,000 pages were withheld. The reason? The FBI cited "national security."

What is to become of the man whose story is apparently too dangerous to tell? "I am not really expecting any miracles or that I will be released from prison," Leonard Peltier wrote from prison on August 27, 1980, "but I honestly feel that my case has opened a lot of eyes to the awareness that Indian people are still being subjected to a sophisticated genocide. My people are my only concern.

"Today I am denied contact visits with my daughter. I am denied the privilege and right of every father to hug his daughter, to hold her hand, or to hold a conversation with her in the civil manner of other human beings. I am made to stand in a cage of glass, and we must talk to each other through a monitored phone; it is inhuman, but we must grasp every opportunity to show that the system is racist and wrong. So we both stand as proud warriors and prove they can't defeat us, even through humiliation.

"The only thing I'm guilty of is trying to help my people. For this, it is very possible that I'll spend the rest of my life in prison."

NEW BREAK IN THE PELTIER CASE
DEFENCE COMMITTEES ASK FOR ACTION

Drawing of Leonard Peltier by Yvonne (Wanrow) Swan

There is exciting news about the case of Leonard Peltier. The situation demands immediate and intense action to be undertaken. If we do it right, we may have the kind of victorious breakthrough that we've all been working for.

Leonard's case has just been assigned to a Congressional subcommittee. This particular one is the Submcommittee on Civil and Constitutional Rights, headed by Representative Don Edwards, and is part of the House Judiciary Committee headed by Representative Peter W. Rodino.

Edwards has had a good history in the House of supporting liberation cases, particularly the Wilmington Ten and Geronimo Pratt.

For years, Representative Ronald V. Dellums has worked with Indian activists, especially around Leonard's case. This Black representative has been known by many of us as the best fighter in electorial politics for oppressed people. He was instrumental in getting the case before Edwards' subcommittee.

He reports that his office has been flooded with letters urging him to get the Congressional Black Caucus to push for this hearing. His aide says these letters have come from "all over the world" and that they have had an especially large number since the Black Hills Survival Gathering this year.

Dellums promises "I will continue to do all within my power to insure that Leonard receives justice."

So now is the time to act. It is time to go back to all the people––individuals and organizations––where we went to get letters to Dellums, and to all the new contacts we've made since, and urge letters be sent to the subcommittee supporting this investigation.

Letters should point out the F.B.I.'s criminal acts in this case, from their armed attack on Pine Ridge Reservation (the incident from which Leonard's charges stem) to their coercing witnesses and perjuring affidavits for the court proceedings, to their suspected involvement in the attempt to "neutralize" Leonard in prison.

This is Leonard's last known recourse at this particular time, outside of such international outreaches as the Bertrand Russell Tribunal of this November. Whether or not the hearing will fully expose the truth depends on the public support that is expressed to the Subcommittee.

Letters should be sent to:
Hon. Don Edwards
Chair: Submcommittee on Civil Constitutional Rights
A407 House Office Building, Annex 1
Washington, D.C. 20515

Copies should be sent to:

Hon. Peter W. Rodino
2125 Rayburn House Office Building
Washington, D.C. 20515

Hon. Ronald V. Dellums
2464 Rayburn House Office Building
Washington, D.C. 20515

and also to the letter–coordinating campaign of the Leonard Peltier Defense Committee (as well as any correspondence on the matter) at:

2406 Alhambra Rd.
Alhambra, California,91801

The official assigning of this case to a Subcommittee––and a good one at that––is truly a victory and an opportunity. Lets make the most of it

BOBY GENE GARCIA HAS BEEN KILLED—

STANDING DEER IS IN IMMINENT DANGER!

Of two Indian fellow–inmates who have allied themselves closely with Leonard Peltier, one is dead and the other is unwillingly in a prison surgery ward. Action from supporters is needed immediately.

Just weeks before the January 9th appeal hearing on his Lompoc prison–escape case, Indian Boby Gene Garcia was "found" hanging in a solitary cell at Terre Haute Prison, victim of assassination. His body bears the marks of a struggle against hand–cuffs and leg irons––as well as bruises on his arms and elbows.

Shortly after, an F.B.I. agent interviewed Standing Deer (a/k/a Robert Hugh Wilson) the inmate whose affidavit exposed the government's murder conspiracy against Peltier in 1979. Until Garcia was moved from the general population to solitary (just before he died), Garcia and Standing Deer were cell–block mates, and Standing Deer was now trying to get lawyers to investigate what he believed from the beginning to be murder. So now the F.B.I. wanted to find out what he knew

At the end of the interview, the agent told him, "What you need is a good lobotomy."

A few hours later, he was told he was being sent to the medical ward of Springfield prison. He is now there in the surgical ward for, according to one report from the warden, "routine examination." The staff there has told him he was there for back surgery.

Standing Deer has had permanent back damage for many years but has twice already turned down surgery by the prison authorities. He has certainly made it quite clear that he's refused it this time again.

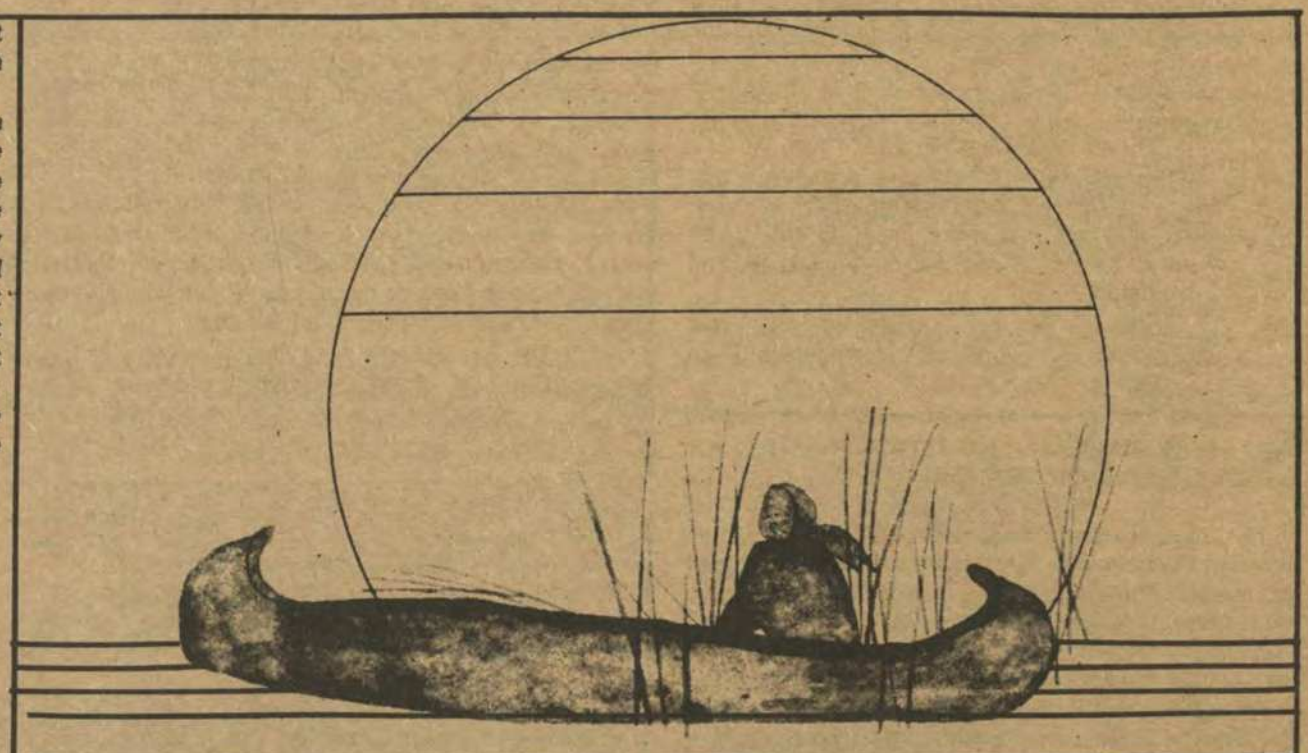
It may be that our vigilance is the only thing between Standing Deer and forced surgery. Write immediately expressing your concern about Boby's death and Standing Deer's current situation. Write to:

Bureau of Prisons
Department of Justice
Washington, D.C. 20534

Also, write to Standing Deer he'll be glad to hear from you:

Standing Deer
a/k/a Robert Hugh Wilson 01499–164
P.O. Box 4000 1–3 Strong
Springfield Missouri 65802

The Energy Wars – are Wisconsin's Native Peoples next in line for the devastating destruction that comes with the mining of natural resources?Exxon's discovery of a large copper–zinc deposit near the Sokagon Chippewa reservation will greatly affect the people's way of life and the leakage from tailings ponds will filter into the untamed Wolf River which runs through Menominee lands. Other Chippewa nations have caught energy company officials on their lands testing for minerals and uranium. There is enough evidence to support the fact that the energy companies, with the help of government officials, are planning[to make Wisconsin into the next largest domestic mining district within the United States. The effects are far reaching throughout the state. The following article outlines each of the areas to be affected.



MINING IN WISCONSIN

SOKAOGON CHIPPEWA HAVE THE MOST TO LOSE

Mole Lake, Wisconsin – The Chippewa (Ojibwa) have gathered wild rice for centuries and used it as a staple food. The process of harvesting wild rice is long and tedious. This skill has been handed down for generations. One has only to observe the long hours of hard work involved in wild ricing to appreciate this natural food. So important is the annual wild rice harvest to Sakaogon that their reservation site was specifically chosen for its proximity to six ricing lakes. Today, only one of those lakes, Rice Lake, still provides the people with rice. Even so, the Sokaogon cherish their tiny land base; it is the burial ground of their forebearers.

In May of 1976, Exxon announced its discovery of one of the world's largest and richest deposits of copper–zinc. The giant corporation plans to spend approximately $400 million to bring the mine into production, and by the mid–1980s, according to the *Engineering and Mining Journal*, "Exxon may become a significant producer of copper and zinc based on the massive sulfide deposit... at Crandon, Wisconsin."

Less than a mile from the Exxon discovery site lies the MOle Lake Sokaogan Chippewa Reservation. Chippewa tribal leaders fear that if Exxon goes ahead with its copper–zinc mining operation, the air, water and land of their tiny, 1900 acre reservation will become universally degraded. They project that runoff and seepage from the mine may contaminate Rice Lake and thereby destroy the annual wild rice harvest.

In addition to the possible destruction of their staple food, the Chippewa fear that the influx of large numbers of non–Indians seeking work in the mines would destroy the social fabric of tribal culture.

In October of 1976 the tribal members rejected Exxon's offer of $20,000 for the mineral rights to their reservation and reasserted their claim to the 12–mile square tract surrounding the reservation, land which encompasses Exxon's drilling.

Of all these bands of Indians, the Sokaogon Chippewa perhaps have the most to lose in the resource–colonization process. The group is the smallest of the Wisconsin Indian groups, and has been one of the poorest for the past century. Left out of the government's 1854 treaty with the Chippewa, the Sokaogon band later signed their own deed to land and tribal status, only to have the documents vanish in a stormy Lake Michigan shipwreck.

The group had been battling ever since for legal rights to the land that history says is theirs. Today, the Indians hold just 1,900 acres at the headwaters of one of northern Wisconsin's major rivers, the Wolf. The land is a mix of timber, second–rate farmland, swamp, and water – only the smallest fraction of the 92,000 acres promised the group a century ago.

The struggle of the Sokaogon Chippewa is inextricably linked to the fate of other Indian and white communities in the Great Lakes region. Exxon geologist Edwarde May has admitted that the opening up of any particular mine is overshadowed in importance by the fact that this mine will open the way "to the development of a new domestic mining district" that will "place Wisconsin in a position of being a significant supplier of minerals."

Mr. May has also admitted that "contamination is bound to occur no matter how wisely a mine is designed or how diligent are the operators." IN its technical project plan for the proposed copper–zonc mine, Exxon deliberately withheld vital information about the possibility of uranium as a byproduct of copper mining.

Even at this late date, as Exxon prepares to submit its prospecting plan to the state, the DNR has given no indication that they will require Exxon to account for the posibility of uranium byproduct extraction at Exxon's copper–zinc property at Crandon. The complicity of the Wisconsin DNR with Exxon's coverup of the uranium issue is all the more blatant in the light of the fact that in March, 1980 Exxon acquired a uranium lease from Chicago Northwestern Railroad on lands that had been previously been acquired for other metallic minerals. If Exxon has no intention of uranium byproduct extraction, then why is it necessary to acquire a separate mineral lease specifically for uranium? Exxon's attitude toward the fate of the Indians is summarized in their technical project plan as follows: "The Mole Lake (Sokaogon) Indians may have to accommodate new pressures coming from both the mine development and from newcomers."

Many of the tribes are still recovering from the social and environmental devastation brought by the mining and logging booms of a century ago. When copper, iron and lead were first found on these Indian lands, Thomas Hart Benton, an articulate visionary of American expansion, ordered a list of the area's tribes to determine the "practicality of extinguishing their title." A series of treaties ensued, culminating in the treaty of 1854 which secured mining rights for the U.S. government to all of Chippewa country. The Lake Superior tribes were crowded onto land then considered worthless for mining. Ironically, the Chippewa, Potowatomi, and Menominee tribes were resettled in an energy and mineral rich area geologists call the Canadian Shield. Today rich deposits of copper, nickel, zinc, vanadium, and uranium are believed to lie under and adjacent to at least seven of these "worthless" reservations.

URANIUM "HOT SPOTS" ON POTOWATOMI LANDS

Just a few miles from the Exxon discovery, Kerr McGee Corporation has identifi[illegible] "hot spots" on Potowatomi reservation lands. Kerr McGee has approached Potowatomi tribal leaders on several occasions for permission to explore on reservation lands. The first approaches were carried out by a "front" organization for Kerr McGee – Transcontinental Oil Company. As soon as Transcontinental had secured substantial landholdings in the area, all the leases were transferred over to Kerr McGee. Potowatomi tribal chairman James Thunder has repeatedly denied Kerr McGee's requests. This has not stopped Kerr McGee, however.

On May 1, 1980, Kerr McGee's mineral options were compared to the legal description of Potowatomi reservation lands and it was discovered that Kerr McGee had quietly optioned the mineral rights to over 22% of the reservation. The Potowatomi Tribe has obtained legal counsel and is now examining the legality of this transaction. At no time was the tribe informed of this option by either Kerr McGee or the Bureau of Indian Affairs.

In an interview in the *Milwaukee Journal*, Jim Thunder, tribal chairman, expressed the concern the potowatomi people feel about the impact if Exxon starts mining cooper and zinc. He discussed the economic upheaval that would be felt by people on set incomes, and he feels that a population surge could be negative for Potowatomi children in the schools:

"We don't have a very good batting average in the Crandon school system as a whole, and if we get a big population increase it's going to shove us further in the background as far as educational needs go."

Jim Thunder says the Exxon discovery also has Potowatomis very concerned about the environment. That concern probably could be expected because an awareness of nature has been part of the Indians' religion through all the years, he says, and was part of the way they have lived.

"They practiced what they preached... They were like that in every day of their lives, in everything they did. They had a great respect for all the plants and things of nature...

"By the white man's standards, the old Indians didn't have anything, and yet these people were eternally grateful for the things they did have – just provided through nature."

BAD RIVER CHIPPEWA AND RED CLIFF CHIPPEWA LANDS TESTED FOR URANIUM

The same pattern of governmental and corporate secrecy is evident with the federal government's uranium exploration on the Bad River and Red Cliff Chippewa reservations through its private contractor, the Bendix Corporation. Bendix has subcontracted its field work to the Derry, Michener and Boot (DMB) firm of Golden, Corporation. Bendix has subcontracted its field work to the Derry, Michener and Booth (DMB) firm of Golden, Colorado. When DMB field geologists were caught taking unauthorized rock samples on the Red Cliff reservation in August, 1979, the geologists told tribal police that they were fossil collectors on a field trip. Only after intensive questioning by tribal police did the geologists admit that they worked for DMB.

Other DMB geologists took well water samples on the Bad River reservation without informing the tribal authorities about the nature of their business. Well water samples are routinely analyzed for parts per million (ppm) of uranium as part of the uranium exploration process. Reservation residents were led to believe that the well water samples were for some kind of health monitoring program. DMB has refused to divulge the results of the well water sampling and has stated that they are not allowed to release the results because of their contract with the Bendix Corporation.

The *Lac Courte Orielles Journal*, "A Voice of the Ojibwa Nation," published the following editorial in October, 1980:

LAC COURTE OREILLES CHIPPEWA ESCORT EXXON OFF THE RESERVATION

The latest evidence of corporate–government secret penetration of Indian reservations occurred on the Lac Courte Orielles Chippewa reservation southeast of Hayward, Wisconsin. Two men taking water samples from the reservation this past July ran into trouble when they went to the home of tribal chairman Rick St. Germaine. ng different stories at different homes, claimed to be working for an unidentified northern Wisconsin survey and implied that they were working on a government program. When asked to produce some indentification, one of the men handed St. Germaine an Exxon business card. St. Germaine had the Exxon men escorted off the reservation.

The water samples were returned to the reservation the next day where they were dumped on the ground. St. Germaine explained that the tribe had placed a moratorium on all mineral exploration on the reservation the previous year, and Exxon was in violation of that ordinance.

STOCKBRIDGE MAHICANS AND WINNEBAGOES COULD BE FACED WITH STORAGE OF NUCLEAR WASTES

The Department of Energy in its Environmental Impact Statement esignated Shawano and Marathon counties as favorable nuclear waste storage sites. Both of these counties have a granite bedrock base which is thought to be able to contain radioactive wastes "safely." Several other mineral deposits which the government thought safe for the purpose of storage of radioactive wastes have been proven to be unsuitable for the purpose. Recently the Shawano County Board passed a resolution against the storage of radioactive wastes in that county. The Stockbridge Reservation and several small Winnebago communities are within Shawano County.

MENOMINEES FEEL THREAT OF MINING

The Wolf River runs through Menominee lands and is one of the largest, most natural wild rivers in North America. It too faces possible pollution from mining. The Menominees have issued a moratorium on uranium exploration. The *Menominee Tribal News* featured the following article:

The Crandon Project

A THREAT TO THE WOLF RIVER

A copper–zinc discovery by Exxon near Crandon, Wisconsin poses a major environmental threat not only to the surrounding area but also to the Wolf River.

The ore bodyis 8 miles south of Crandon an 2 miles east of the Mole Lake Indian Reservation. Preliminary estimates indicate the deposits contain 70 million tons of ore, composed of 5 per cent zinc and 1 per cent copper with a small amount of lead.

Environmental issues surrouning the discovery pose a major concern for Exxon. The biggest problem involves the containment of tailings deposits. Tailings are generated after the economical portions of zinc, copper and lead are extracted. Exxon officials indicate that 50 per cent of the tailings will be utilized as backfill in underground operations with the remaining portion to be placed in tailings ponds on the surface.

Toxic conditions may be generated in the tailings ponds. The ore body contains iron pyrite, or fool's gold, which forms sulfuric acid and iron sulfate when in contact with air and water.

These acid mine drainages can infiltrate groundwater tables and produce pollution, killing fish and aquatic life, making it unsuitable for human use.

Through further chemical reactions, iron sulfates react with alkaline compounds in streams and rivers producing iron hydroxide, commonly known as "yellow boy." Water will not dilute this substance since it is insoluable, and, after a time, it will settle out producing toxic conditions.

The Sakoagon Chippewa tribe of Mole Lake and the Forest County Potawatomi tribe along with area residents have expressed concern over these environmental issues. More specifically the Moneminee Nation has become involved. Dave Waupoose, from the Tribal Planning staff, has been attending an eight week seminar held in Crandon. The Seminar, entitled "Mining in Wisconsin: A Community Perspective," provided many insights about the Crandon Project.

On April 23, 1980, concerned tribal members met with Exxon officials at the courthouse in Keshena. Concerns ranging from environmental to sociological impacts were voiced.

Later, Exxon officials extended an invitation for tribal members to visit the mining site. Members from the tribal planning department, and tribal mining committee met in a joint meeting with Exxon officials and the Mole Lake Sakoagon Chippewas at the Tribal headquarters in Mole Lake on May 21, 1980. Exxon officials presented a brief update on project progress and studies currently taking place.

A question arose concerning what Exxon was planning on doing to limit the seepage of acid drainage from the tailings ponds. Mr. Brummond, a professional engineer from Golder Associates, the firm which conducted the study on potential tailings disposal sites indicated that studies are being conducted on lining the tailing basins with polyethylene sheeting (plastic) and clay liners. One note of caution was overlooked in that no leak proof containment dikes have ever been constructed.

In previous public appearances made by Bob Russell, project manager, he stated: "Exxon wants to create a system that has no potential in changing the Wolf River in any way."

At a seminar previously held in Crandon, Dick Hite, senior mining engineer, stated Exxon's policy: "Exxon will apply innovative thinking, utilizing established technology, to waste handling. Exxon will provide an integrated water management system which will account for controlling all water entering the project site. Exxon is confident that technology exists to treat discharge to meet all applicable standards."

In many people's minds there still exists the possibility of pollution whether it is the Wolf or the surrounding area.

Operations north of the reservation, particularly those of the Crandon deposit, located roughly 30 miles north of the reservation have the potential of affecting not only the reservation but adjacent lands to the Wolf including the 9 county areas of the Wolf River watershed.

The residents of the Menominee Indian Reservations should become more concerned about this issue. The Tribal Legislature has expressed concern, and it's imperative that more people become involved. On March 3, 1980, the Tribal Legislature appointed a Mining Impacts Committee to deal with such issues. After all, it took mother nature thousands of years to produce the Wolf as it is today.

Keep in mind the philosophy of our ancestors. Think of the future, particularly the lives of your children. Perhaps the adults may not notice current environmental affects but your children might. Remember we wouldn't have this reservation today if the old chiefs wouldn't have thought of us.

NUCLEAR WASTE DUMP

Over Our Dead Bodies

Over our dead bodies they will. Sounds pretty heavy, but that is what is in store for any Federal Agency that tries to dump off their wastes anywhere near this reservation. Why should we as a community of people be forced to live with the poisons of society, trucked miles and miles to be dumped under our feet? As a county, as a Tribe, as a community of people we have voiced our concern over uranium mining, herbicides, and other dangerous contaminants being used in this area. Now, maybe a nuclear waste dumps ? No way we say!

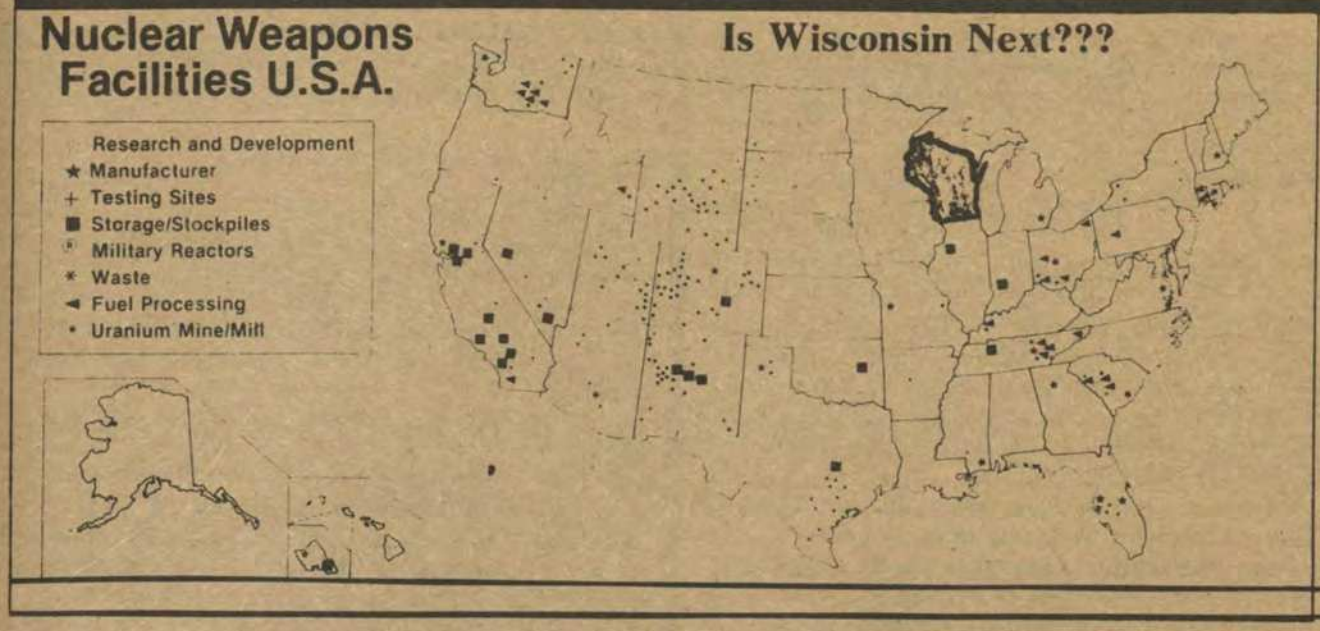
This area we live in has beautiful waters and forest, and in the near future we don't envision burying cables with low frequency electrical signals on our land or drilling for radioactive rocks below us, or spraying chemicals on top of us or allowing a RADIOACTIVE NUCLEAR WASTE DUMP to be put on or near an Ojibwa Reservation. We have enough health problems to deal with now.

If the Department of Energy (DOE) can arbitrarily say where the dump will be, then the Department of Interior better tell the DOE what is in store for them. Did you ever see a whole Tribe of Indians angry at once?

Some will claim complete safety. Did you ever sleep with a smallpox blanket, visit the Love Canal or take a cruise on the unsinkable Titanic? If the people of this county and state don't want a Nuclear Waste dump in their back yard, we better stand together on this one and be heard.

Each of the Native Nations of Wisconsin have much to lose if a domestic mining district is developed. In this case, as in most cases, development equals destruction of Native economies, lands, resources and peoples. It is up to each and every Native Nation, as well as each community, to fight the mining district. Today, more than at any other time in history, Native Peoples must fight and continue to fight the multinationals, state governments and the federal government in order to protect the earth, indeed, to insure the continues existence and very survival of the earth.

(Information from Al Gedicks article "Major Corporations Scrambling for Tribal Resources" published in "Native Self–Sufficiency" newspaper, Oct. 1980, unless otherwise noted.)



Energy Wars On Native Lands

MINING INTERESTS INVADE CHIPPEWA POTAWATOMI TERRITORIES

"The people who are living on this planet need to break with the narrow concept of human liberation, and begin to see liberation as something which needs to be extended to the whole of the Natural world. What is needed is THE LIBERATION OF ALL THE THINGS THAT SUPPORT LIFE – THE AIR, THE WATER, THE TREES – ALL THE THINGS WHICH SUPPORT THE SACRED WEB OF LIFE." (From **Basic Call to Consciousness.***)*

It is the liberation of the natural world, the preserving and taking care of all the Creation, this is the job which has been entrusted to Native peoples since the beginning of time.

Native peoples the world over were given the simple instruction that they were to take care of, protect, and be grateful for all the resources, the life–sustaining elements of the earth. Everyday we see larger, more destructive and at times inimaginable assaults on the environment.

We are appalled by the uranium mining and subsequent cancer deaths reported on the Navajo Nation. We see the films of Navajo children playing on the uranium tailings piles and we know the children are playing in radioactivity. We are horrified. Three Mile Island is fresh in everyone's mind.

Now we find that giant corporations are exploring for minerals in northern Wisconsin and Minnesota. There are at least ten reservations on the lands being considered for mining, including several communities of Chippwea, Potowatomi and Menominee peoples. The efforts by the multinational energy companies to continue exploiting the natural non–renewable mineral resources which lie underneath Native Peoples' territories continues. The utter destruction they bring is also clear.

Were you to travel through the Menominee, Potowatomi, Winnebago, Stockbridge and the five Chippewa reservations in central and northern Wisconsin you would see lands that are as near their natural state as possible. Here are streams and lakes alive with trout and bass – a fisherman's paradise. The forests are alive with animals: deer, raccoons, procupines, hawks, eagles and bears. There is an abundance of types of vegetation which are still used for food and medicines. It is a place where a person can walk up a small stream and still find a beaver dam. These lands have been protected and kept natural by the Native peoples who live there.

As you leave Native lands you see a sharp contrast because the forests have been cleared for farming. Wisconsin is famous for its dairy farming and cheese production. Cranberries grow in abundance and have become a major industry. Tourism and recreation are major industries which keep many of the small remote rural towns alive. People flee the cities and come here to enjoy themselves in the natural world.

This environment may soon become the next national sacrifice area in a development which already threatens large portions of the Southwest and wesstern portions of the United States. The same type of destruction has visited many Third World countries. All of this destruction, and for what? Are the benefits worth the price of the irreparable destruction of the earth?

More than forty energy companies are involved in the scramble to obtain mining access to valuable natural resources which lie underneath Native peoples' lands in an area called the Canadian Shield. These companies include Exxon, Kerr–McGee, Minatome of France, Western Nuclear and U.S. Steel. These companies are racing to obtain the minerals in northern Wisconsin, upper Minnesota, and upper Michigan because Third World Nations have been increasingly taking control of their natural resources and Exxon and the other transnationals must find alternative resources. It happens that many Native peoples were, historically, forced to live on sub–marginal lands. In recent years it has been discovered that rich mineral deposits lie underneath these "worthless" lands.

Mining companies are doing exploratory drilling for a number of minerals used in industry, including copper, zinc, nickel, vanadium, thorium, lead, chromite, phosphate and URANIUM. It is the possible co–occurence of uranium with copper and zinc that has raised the concern of many people in Wisconsin. The Center for Alternative Mining Development Policy in Madison, Wisconsin expressed this concern: "If the Department of Natural Resources approves the outlines of Exxon's technical project plan without requiring a regional impact study which would make available information on the extent of uranium and its occurrence with copper, zinc, and vanadium and other minerals, the DNR will be responsible for committing the citizens of Wisconsin to a nuclear future without the benefit of public participation in this fundamental moral decision."

A Department of Energy newsletter reports that "Uranium produced as a byproduct of phosphate and copper production by the year 2000 is estimated at 120,000 tons of uranium oxide."

The levels of radiation present in each of the mining areas must be monitored to ascertain naturally occurring levels of radiation in the environment before drilling. This measurement will make it possible to determine the increased exposure to radiation from mining. Radiation levels should also be monitored during the drilling and post–drilling phases. The Native peoples as well as peoples in the surrounding communities which will be affected by mining want to know what the effects of mining will be on the water – will drilling holes disrupt groundwater flow causing contamination of water supplies? Will radiation pollute the land on which they depend for their livlihood? Will the overall contamination effects ruin the air, the naturally–occuring food chain, fish life, bird life, vegetation, forests, watersheds and aquifers? Studies are needed to understand the regional movements of pollutants in air, surface waters and groundwaters. How far–reaching is the pollution, the utter and total contamination?

Don Behm, in his article "Exploitation Threatens to Undermine Northern Life," which appeared in *The Ocooch Mountain News*, Early Winter, 1980, brings attention to the possibility of zinc smelters which will produce acid rain. "Exxon and Kerr–McGee, both energy corporations seeking to diversify through mineral production, have pieced together enough clues (about the existence of extensive mineral deposits) to support corporate leasing of large tracts within the Nicolet National Forest and several county forests. There won't be one or two isolated mines in that great northern expanse of forests, lakes and dairy farms. The prospect, according to industry geologists, is for six to ten mines in an arc.... An even larger scale mining district could develop as government and corporate geologists continue their search for copper, manganese, and natural gas under Lake Superior. Approval of the mining district.... also includes acceptance of a zinc smelter. We have only to look as far away as Sudbury, Ontario for the impact of a smelting operation. Acid rain, already a problem in northern lakes, would increase, causing further damage to fish and plant life. Pollutants from smelting will disrupt cranberry production and wild ricing. Yet, the Department of Business Development, now merged into the Department of Development, has proposed a dozen sites to Exxon for location of a smelter."

If you were to travel through sections of the Adirondack Mountains in upstate New York, the effects of acid rain would startle and frighten you. You would see a series of dead lakes which can no longer support life. The lakes have a greenish film over them and many of the trees surrounding the lakes are dead. ... a scene from a science fiction movie, except that it is not fiction. Such scenes could come to Wisconsin, the ultimate result of mining and zinc smelters.

Exxon geologist Edward May has admitted that the opening of these mines in Wisconsin will open the way "to the development of a domestic mining district." He has also said that "contamination is bound to occur no matter how wisely a mine is designed or how diligent are the operators."

Don Behm, in an article which appeared in *Free For All*, (Madison, Wisconsin) describes the process involved in copper and zinc mining:

"Before smelting the metallic ore will be pulverized, separating the waste rock from the 'metal concentrate.' Waste from this milling process will be partly stored in a proposed 1,000–acre tailings pond. Exxon officials assure local citizens that their Crandon project tailings pond will not leak.

"But Rob Kennedy of COACT Research in Madison reports that a 'citizen's action group in the community near Exxon's Highland mine in Wyoming' is worried about the continued 'leakage and resulting pollution caused by the Exxon tailings pond there.' Along with corporate violations of Wyoming's regulations concerning exploration procedures, Kennedy believes 'it does not appear the Exxon's word to the communities of northern Wisconsin is anything to bank on."

It is the waste from the milling process, to be stored in supposedly "leak proof" ponds, that concerns the Chippewas and Menominees. The Chippewas stand to lose their staple food – wild rice. The Menominees' loss would be the natural state of the Wolf River and the fishing which feeds many of their people. Exxon has made promises that the waste ponds will not leak, will not contaminate. Evidence proves this to be doubtful.

"Exxon could begin production by the late 1980's at 10,000 tons of ore per day," reports Michael G. Mudrey, Jr., of the Wisconsin Geological and Natural History Survey, or "150,000 to 180,000 tons of zinc and 35,000 tons of copper per year."

Add to this the possible co–occurrence of uranium with zinc and copper plus Kerr–McGee's drilling of seven holes for uranium ore exploration which began on September 19 in Florence County and you can see the picture of a mining district already underway. There is increased radiation in the enviromnent as a result of exploratory drilling. Radiation will substantially increase with actual mining. There will be waste ponds from the copper and zinc mining, and those waste ponds will leak. All of these contaminants will not be confined to one single area. The contaminants will spread with air currents and groundwater flowage.

Exxon and Kerr–McGee, as well as the other mining companies, promise the communities benefits such as an expanded job market. Unemployment is high in Northern Wisconsin due to the seasonal nature of much of the economy. Exxon fails to inform people that these new jobs will be few and that the already fragile economy of small towns will be devastated with the boom town effect which always accompanies such mining. Mobile home cities will develop, roads will need work due to increased traffic, water and sewage systems will need expansion to accommodate the mobile homes, electricity demands will increase, schools will be overcrowded, more teachers will be needed. Most importantly, the social fabric of the community will be destroyed as violent crimes increase due to overcrowding, alcohol, drugs and moral decay.

Opposition to mining has grown as people have become increasingly aware of the effects of mining. People are skeptical of the State's ability to regulate the mining industry, they question the need for nuclear power, and now that several counties (Shawano, Marathon) have been identified as possible storage sites for radioactive wastes, the people are opposing and rejecting the entire nuclear fueld cycle and mineral exploration and mining. To date, five counties, twelve [illegible] boards and three tribal councils, (Potowatomi, Lac C[illegible]relles and Menominee) have passed moratoria on uranium exploration ranging from one to fifteen years.

"Mining Corporations Eye Wisconsin's Uranium" by Don Behm, published in the *Mining Organizer*, quotes Sandy Barrus of Spring Brook, comparing "the concern and reaction of the people in northern Wisconsin, responding to the specter of uranium mining, as similar to a 'she–bear protecting young cubs.' Earlier in the summer, Barrus addressed a meeting of the Hayward Rod and Gun Club to warn that 'the corporations are already moving in' and that a moratorium of five years would 'put the citizens back in charge.' 'We do not want to trade our water, air, soil and children's lives for a court case. There are no winners in that arena. It must be decided on the local level first, to halt the eventual nuclear destruction in its early stages, before it is completely out of our control.' "

Al Gedicks and Deborah Rogers, an ecologist at the Center for Alternative Mining Development Policy, have stated: "All uranium exploration should end until the health and environmental questions surrounding uranium have been answered to the satisfaction of the citizenry in the affected area." Public hearings around the State have clearly shown that the people living in the affected areas are opposed to the mining and are in favor of a moratorium. The Center for Alternative Mining Development Policy has taken an active role in informing people of the hazards of mining. They have participated in public hearings across the State, and are working with several Indian tribes and white communities providing information and technical assistance concerning the impact of large–scale mining and energy development in northern Wisconsin. Research is a major part of COACT's work. COACT has available "An Analysis of the Socio–Economic and Environmental Impacts of Mining and Mineral Resource Development on the Sokaogon Chippewa Community," a report which focuses on the following areas: social impact, land use, housing, economic impact and environmental impacts. COACT also publishes the *Mining Organizer*, available from COACT, 1121 University Ave., Madison, Wis. 53715.

Wisconsin's Legislative Council's Committee on Mining formed a special Sub–committee on Uranium Exploration Safety in May, 1980. The purpose of the sub–committee is to "study the drilling methods used by mining companies to determine any personal health or environmental impacts from the release of radioactive contaminants during or after drilling. In addition, the subcommittee was directed to 'recommend whether further consideration should be given to a moratorium on uranium exploration drilling.' " On June 6, State Senator Tim Cullen (D. – Janesville), co–chair of the mining committee, personally contacted seven corporations to request a one–year voluntary moratorium on all further exploratory drilling for uranium. Kerr–McGee was the only corporation to refuse the voluntary moratorium, according to the *Mining Organizer*. Cullen is attempting to initiate a state–wide ban on uranium exploration for five years or longer.

During April of 1980 a resolution of intent urging the state to issue a one–year moratorium on uranium exploration was passed in the Wisconsin Senate. A few days later when the resoltuion reached the House it was tabled indefinitely. During the time lapse of only several days Kerr–McGee successfully lobied the House and stopped the resolution of intent. During the 1981 Legislative session a bill will be intorduced requiring a one–year moratorium on mining.

Grassroots people in Wisconsin feel that the people should make the decisions on a nuclear or non–nuclear future. At present these decisions are being made in corporate boardrooms and governmental offices. The people, Indian and non–indian, are begining to fight the corporate mining monster with a united effort.

(Thanks go to Al Gedicks whose assistance in researching the material presented here was invaluable – The Editors.)

THE 5TH ANNUAL MEETING OF THE TRADITIONAL ELDERS CIRCLE
October 5, 1980
Northern Cheyenne Nation

Rose Bud Creek Two Moon's Camp MT

It has been brought to the attention of the Elders and their representatives in Council that various individuals are moving about this Great Turtle Island and across the great waters to foreign soil, proporting to be spiritual leaders. They carry pipes and other objects sacred to the Red Nations, the indigenous people of the western hemisphere.

These individuals are gathering non–Indian people as followers who believe they are receiving sacred instructions of the original people, we the Elders and our representatives sitting in council give warning to these non–Indian followers that it is our understanding this is not a proper process and the authority to carry these sacred objects is given by the people and the purpose and procedure is specific to time and the needs of the people.

The medicine people are chosen by the medicine and long instruction and discipline is necessary before ceremonies and healing can be done. These procedures are always in the Native tongue, there are no exceptions, and profit is not the motivation.

There are many Nations with many and varied procedures specifically for the welfare of the people. These processes and ceremonies are of the most Sacred Nature. The council finds the open display of these ceremonies contrary to these Sacred instructions.

Therefore, be warned that these individuals are moving about playing upon the spiritual needs and ignorance of our non–Indian brothers. The value of the instructions and ceremonies of these individuals are questionable, maybe meaningless, and hurtful to the individual carrying false messages.

There are questions that should be asked of these individuals.

What Nation does the person represent?

What is their Clan and Society?

Who instructed them and where did they learn?

What is their home address?

If no information is forth coming you may inquire at the addresses listed below and we will try to find out about them.

We concern ourselves only with those people who use spiritual ceremonies with non–Indian people for profit. There are many things to be shared with the Four colors of man in our common destiny as one family upon our Mother - The Earth. It is this sharing that must be considered with great care by the Elders and the medicine people who carry the Sacred trusts. So that no harm may come to people through ignorance and misuse of these powerful forces.

Phillip Deere
Rt. 3, Box 75
Okemah, Oklahoma

Larry Anderson
Navajo Nation
P.O. Box 342
Fort Defiance, Arizona 86504

Austin Two Moons
Rosebud Creek
Northern Cheyenne Nation
Montana

Izadore Thom
Beech Star Rt.
Billingham, Washington 98225

Tadadaho
Haudenosaunee
Onondaga Nation
via Nedrow, New York 13120

Hopi Independent Nation
Shongopavy Pueblo
Second Mesa,
via Arizona 86043

Chief Fools Crow
Lakota Nation
Kyle, South Dakota 57752

Frank Cardinal Sr.
Chateh, P.O. Box 120
Assumption, Alberta TOM 0S0
(Contact for Northern Cree, Slavey and Beaver)

Tom Yellowtail
Wyola, Montana 59087

Mitch Farmer–A Warrior Passes On

Mitchell L. Farmer, 23, passed into the spirit world sometime on December 11, 1980. He was a Mohawk man, born and raised on the Onondaga Territory, and widely known as a lacrosse player, community worker, and warrior. He had travelled extensively with the travelling group, Voices From the Earth.

He and a group of young men were hunting on a Mohawk Territory which appears on the maps as part of the province of Quebec. It was a cold, wintery day, and snow covered the land at boot depth and deeper. Early in the day, they hit a moose and were in pursuit. Mitch split off from the group to try to catch the animal. Later that day, the hunting party became concerned when he didn't return.

It was dark when they set out to find him, following his tracks by flashlight. The tracks told the story that he had come upon the trail of a second moose (the moose he was looking for had been caught and killed) and that he followed that trail away from the others. It is possible that while he was on the trail of this animal, he became confused and took up the trail of still a third moose. At some point, he realized he was lost and left the tracks to begin seeking his way back.

The search party stayed on his trail until after two o'clock in the morning. They had to turn back when their flashlights failed and one of the party fell in the water. By that time, the temperature had dropped to thirty below zero (F). One of the men in this party later recounted that he had been very cold for hours, then, suddenly he felt warm and comfortable and all he wanted to do was to lie down in the snow and sleep. He did lie down, but his companions brought him to his feet and forced him to keep moving.

By morning, there was still no sign of the lost man. Other search parties were organized, and a massive hunt was undertaken. People came in from Caughnawaga and Oka, and Akwesasne, Mohawk communities in the North country. They searched all day Friday, Saturday and Sunday.

One of the men in the search operation later recounted that he and two others had spent the night on a mountain in the area. They brought sleeping bags and heavy clothing and food and extra clothing, and they built a huge bonfire in the hopes that the fire could be seen and a lost man could find his way to it. The temperature dropped to well below zero on that night, and the three had all they could do to keep from freezing through the long night.

On Sunday, the search party found and pursued what they believed to be Mitch's trail. It led through deep snow across streams and over mountains. Because of a heavy snowfall, they were forced to reach into the snow to feel the tracks to determine which tracks were from a boot and which tracks were of a moose. Finally, in the afternoon, they found a snowshoe sticking out of the snow. Buried in the snow they found a mitten and a gun. A few feet away lying on his side curled up as though in bed, they found Mitch Farmer.

His was the first death of its kind of a Mohawk hunter in the north woods in over forty years. It was a tremendous shock to the searchers and the Haudenosaunee communities which were awaiting news.

The accidental death of a young hunter is especially tragic. The trackers reported that there were many things that could have happened which might have avoided the tragedy. Mitch had never been to that place before, and no one could say that he had studied a map of the area so that he might know where to go if he became lost. He was an athlete and in good physical condition, but he wasn't a trained woodsman or hunter, and he entered the area completely unprepared to spend the night. He never stopped to build a shelter or a fire; he did not backtrack when he realized he was lost. He tried to "reckon" his way out of the forest, and he spent most of his strength climbing hills in an apparent attempt to spot a landmark he could recognize. Some of the rescue party remarked that he wasn't dressed warmly enough for the weather.

It is certain that there were a lot of mistakes made, but it is certainty born of hindsight. If he had only had a compass, if he had only studied a map, if he had carried a good flashlight, if he had known how to make an adequate shelter and a fire....There are a lot of "ifs", but they're all rhetorical now.

As long as there are woodlands and animals and people who need to eat, young men will hunt. For all of the glory that seems to be attached to that activity in these times, too many of us have forgotten that hunting is a highly skilled profession and a dangerous one. It is not as dangerous, perhaps, as uranium mining or working high steel, but the potential is ever present for one to become lost and exhausted in the extreme cold. When that happens, when you are numb and your legs are heavy and you can't go on, the snow ceases to be an enemy and becomes a beckoning friend, a downy blanket which opens its arms with a promise of warmth and peace.

That, apparently, is what happened to Mitch.

Mitch Farmer was a warrior in the best sense of that term. He was a man dedicated to ideals and not personal glory, a man who offered great sacrifices to his people while remaining both gently and humble in his relationships with others. He was a warrior, and a man who did not believe in the use of force except in the defense of his people. He came to Akwesasne to help defend the people against aggression, and he remained to become a leading figure among the warriors here. He avoided alcohol and drugs, and he never abused anyone, nor did he advocate the abuse of anyone. He was not an individual who looked for trouble, and he was not a man who was shy of danger. He was a favorite among the older people. In so many ways, he was the exact opposite of the many young men who today wear feathers and beads and call themselves "warriors", but who abuse other people and who seem to believe that a warrior is an instrument of violence. Mitch was a true warrior, a protector of the people, a warm and decent human being, and we are proud that he is one of us.

He was also a product of our times and a victim of the oppression that our people suffer. He was a true patriot of the Haudenosaunee, and when he walked on this earth he dedicated his life to learning Haudenosaunee culture and way of life. He spoke of a desire to become part of that movement which would return our people to the Traditional way of life, and he sought that way of life with a firm resolve. Under the present realities of Haudenosaunee "reservation" life, the odds were stacked heavily against him. He was the son of a Mohawk woman and an Onondaga man, a "full-blood", but under the rules of law which govern our peoples, he was technically a man without a country. Membership rules on the reservations (which is distinctly different from membership in the nations) is determined by birthright, and the New York laws governing membership on the Mohawk lands prescribe paternal descent, while those of the other nations prescribe matrilineal descent. There was no Haudenosaunee Territory upon which a man like Mitch could legally establish a home. He was an outcast in his own land, an exile by birth.

That situation highlights one of the main reasons that a movement toward a traditional lifestyle on "reservations" is seriously, indeed fatally, hampered. It is an incredibly oppressive system of laws which govern the Haudenosaunee Territories, laws which mandate that a Seneca woman from Ohsweken (on the Canadian side) who marries a Seneca man from Tonawanda (on the New York side) loses her Indian "status" and, although her children are full-blooded Senecas, they may not inherit or purchase property on any of the Haudenosaunee Territories. This is not the consequence of Haudenosaunee Traditional law, a law which is a law of nationhood and not a law of "reservation" residence. It is a consequence of New York law, of Canada law, and of rules imposed by communities a century ago in response to those laws.

The laws which oppress peoples create situations of impressive complexity. A Mohawk woman from the "American" side who marries a Mohawk man from the "Canadian" side, (a man who might live half a mile away) technically loses her right to inheritance on the "American" side and her children even lose the right of occupancy. On the other hand, a Mohawk man who moves to France and marries there and has a son, and the son marries there and has a son, that grandchild has full rights in property on the "American" side, even though he is one-fourth Mohawk and entirely a national of France. On the other hand, it is possible that his full blood Mohawk second cousin, who was born and raised at Akwesasne and whose first language is Mohawk, has no rights at all, according to New York State law.

Those laws were created during that period of time when New York and Canada sought to destroy the Indian people's way of life. In these times, even among traditional people, the mobility of modern life has produced a situation in which it is almost rare that Mohawk women marry Mohawk men. In fact, of the last three marriages in the Akwesasne longhouse where one party was a resident of Akwesasne, only one marriage involved a Mohawk woman marrying a Mohawk man, and he wasn't on the "rolls."

In the light of those realities, it is pretty hard to talk about a revitalization of culture– going back to the old ways–based on agriculture and cottage industry. Who will devote a lifetime to the skills and toil of what are best described as homesteads when they know that the lands cannot be passed on to their children?What is the point of raising children within a religion and culture and community when it is certain that as adults they will be outcastes in their own homeland?New York State and Canada knew what they were doing when they passed those laws. They were trying to destroy our sense of nationhood and our way of life, and their strategy has been very successful.

And what of men and women, good men and women with qualities we knew in Mitch Farmer? His life, and h death, can only serve as a lesson to us that our survival as traditional people depends on our ability to teach our young people to survive, as hunters in the north country as we once were, and as family people in our communities. We can hold winter survival training sessions which will teach the skills of survival in the woodlands, but our long-range survival will not be as hunters but as agriculturalists. But where?What is the point of teaching our young men and women to survive as agriculturalists and people in cottage industries when there is no place within our country where they and their children have rights which enable them to actually live that life?

A human being has only so many days to walk upon this earth, and now his days are passed. He was a man among us, and now he is gone, and he will be missed. The ideals he lived by, however, live on, nurtured by us, carried by us. For the time he walked among us, we owe a debt, and we will not have repaid that debt until we have done in this life all that we can to honor the ideals that this young man lived by.

POETRY

"in their prisons
we write our poems..."

CEDAR MAN

Oh! Great Spirit
hear my mournful chant
for the Village
and the Children

When my bloody eyes look at the Sun
they see freedom
but I can not
fly

My heart is heavy like a stone
in a Desert Canyon
worn away by the Wind
and time
my soul has become
Weary
behind these walls

Freedom in my thoughts
I walk unchained
and tall

I am a human being
Great Spirit
forget that I'm
human

Listen to my song

for it is for the people
the village
the children
that still live
in my heart

Give them the courage that
you gave me
keep them strong

the days are many and long

and give them eyes to see
the beauty around them
and the beauty inside
of themselves

Carry my words Great Spirit
to all directions
let my words be like the Sacred Pipe.

let there be peace
and happiness.

---Bobby Garcia
August 1980

IN THEIR PRISONS we write our poems
sometimes happy, somtimes sad, sometimes crying
ALONE without a home
Without Our People
Without Our Village
Without Children's sounds of playing
Broken Spirits Dying

LIBERTY MY FRIEND (segment)

There is something else
my friend
something far more important
than ourselves
unchained minds
unshackled wrists and feet of liberty.

The thunders we have heard
Children crying throughout the Earth
Oh Great Spirit hear their screams
Growling stomachs from their day of birth.

PRISONER OF WAR

The wind rustles the leaves
and the sound brings memories from
another time of not so long ago
when I was happy it was Indian Summer

Past the barbed wire there were clouds today in the sky
the Sun was warm
but my spirit was sad

Her smiling lips, her beautiful face
took form among the clouds
She stared at me with limpid eyes.

Remembering love made me leave the yard
the coldness of her silence has chilled those memories
we had
or I thought we had

The wind and dust burn my eyes
the wind and dust from Indian Summer.

Boiled some water
was drinking a cup of coffee
and
was thinking
of writing of the imprisoned Cubans

Today we talked
they called me a prisoner
like them

They thought the United States and President Carter
Would set them free

Fidel Castro gave them liberty they told me
and why the United States make a prisoner of them?
they asked me

There was no answer for me to give them,
so I told them a joke
about Jimmy Peanut
and Holliwood Reagan
they laughed

Today I write scattered and broken words of an Indian Summer
talk to my self--drink coffee--stay in my cell
Dream of her eyes, the Village, the People the Children

Prisoners of War----We don't forget

----Bobby Garcia

Bobby Gene Garcia was found hanging in his cell at Terre Haute FEderal Prison on December 13th, 1980. From all we have been able to gather, he was a dedicated and disciplined warrior who long ago had overcome depression and suicidal moods. During the past year and a half, he had developed a strong bond with Peltier and in fact had guarded his life during several threats of assasination. A book of his poetry, plus statements from Peltier and other poetry is available from Leonard Peltier Support Group, P.O.Box 176, Mohegan Lake, N.Y. 10547. $2.50.

BOOKs

SKILLS & HOW TO

Authentic Indian Designs, by Maria Naylor, 700 illustrations. Paperback, $6.00.

American Indian Needlepoint Design, by Roslyn Epstein. Designs for many projects. Paperback, $1.50.

Indian Herbology of North America, by Alma R. Hutchens. $12.00

Indian Sign Language, by William Tomkins. Signs to convey meanings of over 870 words. $1.50.

Craft Manual of Native American Indian Footwear, by George White. Introduction to 25 different styles of footwear. $2.50

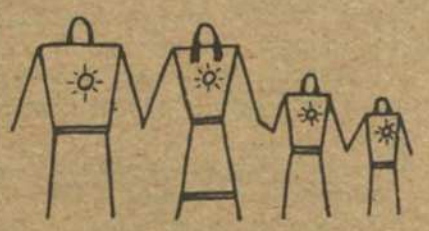
CHILDREN'S

Cheer Up Old Man, by David Martinson. A story of an old man with a warm heart. Excellent for children. $1.25;.

North American Indian Design Coloring Book, by Paul Kennedy. Designed to show the richness of Indian art. $1.75.

Tales from the Longhouse of British Columbia, by Indian Children of British Columbia. $1.95.

The Bird in the Sugarbush. Excellent for children. $1.25.



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HISTORICAL

History of the Five Indian Nations, by C. Colden. This is the first popular effort at a history of the People of the Longhouse and is still a valuable source of material. $2.95

7 Generations, by D. Blanchard. The true history of the Mohawk people at Caughnawaga. Created for use as a textbook by the Caughnawaga Survival School. $19.50.

Apologies to the Iroquois, by Edmund Wilson. A white writer's impressions of Longhouse people he contacted in the 1950s, showing the roots of current thought and activism. $2.95

Invasion of America, by Francis Jennings. Excellent work on Indians, colonialism, and the cant of conquest. $4.95.

Custer Died for your Sins, by Vine Deloria $1.75.

Native Rights in Canada, by Cumming and Mickenberg. To provide Native peoples of Canada and their legal advisors with the necessary comprehensive treatise on the law of aboriginal rights. $8.95.

PHILOSOPHY

God is Red, by Vine Deloria. Offers an alternative to Christianity through a return to Indian beliefs and concepts. $4.95.

The Way, by Shirley Hill Witt and Stan Steiner. Good Native writings for young and old. $2.45.

Vanishing White Man, by Stan Steiner. $3.95.

Tells the story and speech of a Cayuga statesman who went to the League of Nations in Switzerland, in the 1920s, to present the case of sovereignty for the Iroquois peoples. .75

Native Colours, a book of poetry by Karoniaktatie, enhanced by the author's striking designs and illustrations. $2.50.

Chimborazo: Life On the Haciendas of Highland Ecuador. An unusual treatment of life in an Indian Community in South America, edited by John Brandi, translations by Michael Scott and Mal Warwick. $2.00

Turtle, Bear and Wolf. Poems by Peter Blue Cloud, former poetry editor of *AKWESASNE NOTES.*

Our Own Publications

"Pagans" exposes the true nature of journalistic racism in the years 1885–1910. The focus is on the Onondaga, Mohawk, and Seneca Nations of the Six Nations Iroquois Confederacy. $6.95

This is the story of the liberation of Wounded Knee in pictures and the words of the participants, which were recorded while the occupation was in progress. $6.95

LEGAL

Behind the Trail of Broken Treaties, by Vine Deloria. An Indian Declaration of Independence. $3.95.

Handbook of Federal Indian Law, by Felix Cohen. Still the most important sourcebook in the field of Indian law. $25.00 hardcover.

SPECIAL INFORMATION:

The 1981 Calendar features the epic version of the founding of the Six Nations Iroquois Confederacy. Included in its entirety is the story of *THE WHITE ROOTS OF PEACE* written by Dr. Paul A. Wallace.

Calendar artwork, by KAHIONHES (John Fadden), depicts twelve dramatic scenes in the chronology of events leading up to the actual founding of the confederacy and the beginning of the Great Peace. The cover is a FULL COLOR reproduction of a beautiful painting of our planet titled *IAKONKWE (Woman),* also by KAHIONHES. Calendar production and promotion by PICTOGRAPHICS. Calendar design by ROKWAHO'.

Calendar price $6.00 pp. Book price $7.98 plus .25 shipping. Cover poster $3.00 plus .25 shipping.

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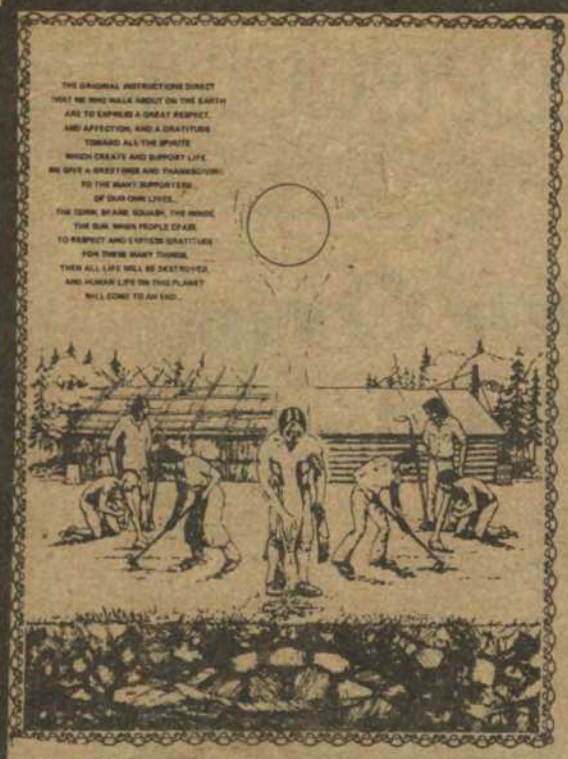
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THEN ALL LIFE WILL BE DESTROYED,
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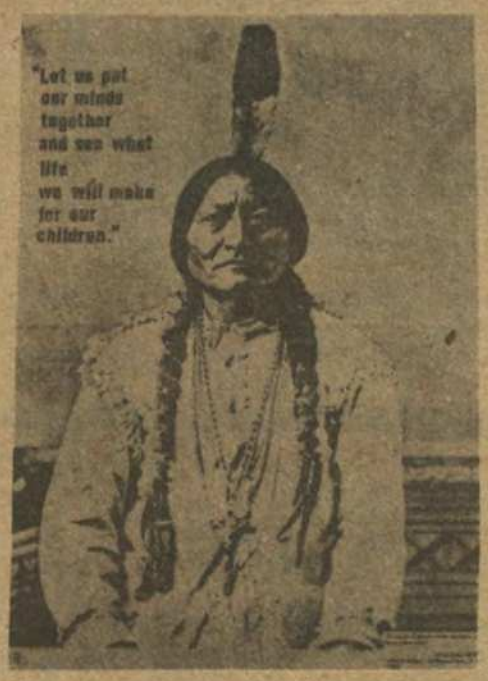

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